



Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **March 23, 2022** which reads as follows:*

“G.R. No. 220072 (Republic of the Philippines, represented by the Anti-Money Laundering Council v. Rafael A. Manalo, Grace M. Oliva, and Freida Z. Rivera-Yap). – Before this Court is a Petition for Review on *Certiorari*¹ under Rule 45 of the Rules of Court filed on October 22, 2015 at the instance of Republic of the Philippines (petitioner), represented by the Anti-Money Laundering Council (AMLC), seeking the review of the: (1) Decision² promulgated on August 28, 2014; and (2) Resolution³ promulgated on April 7, 2015 of the Court of Appeals (CA) in CA-G.R. CV No. 98961, whereby the CA affirmed the September 22, 2011 Order⁴ of the Regional Trial Court (RTC) Manila, Branch 24, which in turn directed the AMLC to turn over to Rafael A. Manalo, Grace M. Oliva, and Freida Z. Rivera-Yap (collectively, respondents), the proceeds of the forfeited bank accounts.

The Antecedents

On July 21, 2003, petitioner, through the AMLC, filed a Complaint (with Urgent Plea for Issuance of a Temporary Restraining Order and/or Writ of Preliminary Injunction) for civil forfeiture of assets against Conrado G. Ariola, Jr. (Conrado), Joseph Valiant Ariola (Valiant), Patrocinia J. Ariola (Patrocinia), Rosario A. Baladjay (Baladjay), (collectively, Multitel officers), Security Bank, and Bank of the Philippine Islands (Forfeiture Case).⁵

- over – fifteen (15) pages ...

¹ *Rollo*, pp. 34-50.

² *Id.* at 55-69. Penned by Associate Justice Nina G. Antonio-Valenzuela, with Associate Justices Francisco P. Acosta and Jane Aurora C. Lantion concurring.

³ *Id.* at 71-72.

⁴ *Id.* at 152-155; penned by Judge Antonio M. Eugenio, Jr.

⁵ *Id.* at 56.

Petitioner later amended its Complaint on June 30, 2004, and averred that the Multitel officers were the incorporators, stockholders, and officers of the Multinational Telecom Investors Corporation (Multitel); Multitel committed and was found by the Securities and Exchange Commission (SEC) to have made several violations of the Securities Regulation Code (SRC) and the Corporations Code, as follows: (i) solicitation and acceptance of investments from more than 19 investors, in violation of Section 10.1 (k) of the SRC, and SRC Rule 10-1 (4) (c); (ii) taking of deposits without a license, in violation of Section 45 of the Corporation Code; and (iii) sale of securities to persons not purchasing for their own account, in violation of SRC Rule 10-1 (4)(b); SEC filed with the AMLC a Request for Freeze Order of several bank accounts and deposits belonging to Multitel and its directors/officers/stockholders (subject bank accounts and deposits), which were found to be the bank accounts where the proceeds of the illegal solicitation of investments and illegal sale of securities had been deposited; after the conduct of an investigation, AMLC issued Freeze Orders upon all bank accounts indicated, but not limited to those enumerated in the Request for Freeze Order.⁶

Petitioner further averred that AMLC then sought an extension of the Freeze Order with the CA, which the CA, in CA-G.R. SP No. 69511, granted.⁷

Finally, petitioner insisted that the subject bank accounts of Multitel's officers should be forfeited in favor of the government pursuant to Section 12 of the Anti-Money Laundering Act of 2001, as amended, because these were related to unlawful activity and money laundering offense; and that unless restrained by a temporary restraining order, and by a writ of preliminary injunction, there would be an imminent certainty that the subject bank deposits would be removed, transferred, concealed or withdrawn, and would be placed beyond the reach of the law, which would render any favorable judgment in this case ineffectual.⁸

After Multitel's officers responded to the Complaint, trial on the merits ensued.⁹

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⁶ Id. at 56-57.

⁷ Id. at 57.

⁸ Id. at 57-58.

⁹ Id. at 58.

Pending resolution of the Forfeiture Case, respondents filed on September 25, 2006 a Motion for Leave to Intervene and Admit Attached Answer-in-Intervention¹⁰ with their Answer-in-Intervention.¹¹ In their Answer-in-Intervention, respondents averred that they are the duly elected assignees of the assets of Spouses Rosario and Saturnino Baladjay (Saturnino) (collectively, the Baladjays), and their conduit companies, one of which is Multitel, after the insolvency court declared the Baladjays, and their companies insolvent.¹² Their motion, however, was denied by the RTC.¹³

When raised to the CA, via a Petition for *Certiorari*, the CA, in its Decision¹⁴ dated May 21, 2009 in CA-G.R. SP No. 102724, reversed the RTC's decision and allowed respondents to intervene in the Forfeiture Case.

Petitioner elevated the CA's decision to the Supreme Court. The case was docketed as G.R. No. 192302. On August 16, 2010, however, the Supreme Court issued a Minute Resolution affirming the CA's decision on the respondents' right to intervene in the Forfeiture Case. Petitioner moved for reconsideration of the Supreme Court minute resolution on September 23, 2010.¹⁵

On the same day, September 23, 2010, the RTC, in the Forfeiture Case, rendered a Decision¹⁶ (order of forfeiture) ordering the forfeiture of the subject bank accounts and deposits in favor of petitioner, after finding that there was preponderance of evidence that would prove that the subject bank accounts and deposits were related to the unlawful activities committed by Multitel, thus:

ACCORDINGLY, judgment is hereby rendered declaring the following bank accounts of defendants Conrado G. Ariola, Jr, Joseph Valiant R. Ariola, Patrocinia J. Ariola, and Rosario Baladjay and their related web of accounts, wherever they may be found, forfeited in favor of the plaintiff and placed at the disposal and/or under the authority of the AMLC, to wit:

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¹⁰ Id. at 284-288.

¹¹ Id. at 289-307.

¹² Id. at 293.

¹³ Id. at 365.

¹⁴ Id. at 363-370; penned by Associate Justice Rosmari D. Carandang (now a Retired Member of this Court), with Associate Justices Mariflor Punzalan-Castillo and Ricardo R. Rosario (now a Member of this Court), concurring.

¹⁵ Id. at 59.

¹⁶ Id. at 73-80.

Account Holder	Account	Bank	Amount
Conrado G. Ariola	SA 0514-321845-200	Security Bank	P3,082,277.81
	SA USD 0514-321845-201	Security Bank	USD52,705.74
	CA 0514-321845-001	Security Bank	P247,309.99
Joseph Valiant Ariola	CA 514325764-001	Security Bank	P344,891.82
Patrocinia Ariola	CA 0831-332764-001	Security Bank	P1,015,000.00
	SA 0831-332764-200	Security Bank	P967,095.63
	SA 0832-332764-201	Security Bank	USD 895.72
Rosario Baladjay	0073135079	Bank of the Philippine Islands	P558,023.38

The preliminary injunction heretofore issued is hereby made permanent.

With costs against defendants.

SO ORDERED.¹⁷

On November 3, 2010, respondents filed a Petition¹⁸ with the RTC pursuant to Section 35, Title VII of the Rules of Procedure in Cases of Civil Forfeiture, Asset Preservation, and Freezing of Monetary Instrument, Property or Proceeds Representing, Involving or Relating to an Unlawful Activity or Money Laundering Offense under Republic Act No. 9160, As Amended (Rules of Procedure in Civil Forfeiture).¹⁹ At that time, the Supreme Court, in G.R. No. 192302, had yet to resolve with finality the issue on respondents' right to intervene.²⁰ In the Petition, respondents averred that a group of investors of the Baladjays, and their conduit companies, one of which

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¹⁷ Id. at 79-80.

¹⁸ Id. at 81-97.

¹⁹ Id. at 81.

²⁰ The case was resolved with finality only on June 4, 2014. The Supreme Court dismissed the petition for being moot and academic. The Supreme Court ruled: "the assets subject of the said cases were all forfeited in favor of the government, are *supervening events* which have effectively rendered the essential issue in this case moot and academic, that is, whether or not respondents should have been allowed by the Manila RTC to intervene on the ground that they have a legal interest in the forfeited assets. As the proceedings in the civil forfeiture cases from which the issue of intervention is merely an incident have already been duly concluded, no substantial relief can be granted to the Republic by resolving the instant petition." *Republic v. Manalo*, 735 Phil. 173, 179-180 (2014).

is Multitel, filed a Petition for Involuntary Insolvency before the RTC of Muntinlupa, Branch 204 (Insolvency Case); after due proceedings, the RTC declared the Baladjays, and their conduit companies insolvent and ruled that the total claims of the petitioning creditors and those who were able to submit proof of their investments amount to ₱4,278,999,241.39 and US\$40,544,714.57;²¹ and respondents were then duly-elected as joint assignees-in-insolvency by all the creditors.²²

In the Petition, respondents further claimed that AMLC may not ask for the forfeiture of the subject bank accounts and deposits because monies deposited therein represent part of the investment placed by the public in the Multitel business; thus, the monies do not belong to Multitel or Baladjay but to the investors; and these monies must be turned over to respondents, being the assignees-in-insolvency, for collation and eventual distribution to the creditors' rightful claims.²³

On March 8, 2011, upon motion of petitioner, the RTC amended its September 23, 2010 Decision, particularly the dispositive portion thereof to include Valiant's US Dollar Savings Account No. 0514-325764-200 maintained with defendant Security Bank, thus:

ACCORDINGLY, judgment is hereby rendered declaring the following bank accounts of defendants Conrado G. Ariola, Jr, Joseph Valiant R. Ariola, Patrocinia J. Ariola, and Rosario Baladjay and their related web of accounts, wherever they may be found, forfeited in favor of the plaintiff and placed at the disposal and/or under the authority of the AMLC, to wit:

Account Holder	Account	Bank	Amount
Conrado G. Ariola	SA 0514-321845-200	Security Bank	P3,082,277.81
	SA USD 0514-321845-201	Security Bank	US\$52,705.74
	CA 0514-321845-001	Security Bank	P247,309.99
Joseph Valiant Ariola	CA 514-325764-001	Security Bank	P344,891.82

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²¹ *Rollo*, pp. 83-84.

²² *Id.* at 86.

²³ *Id.* at 92.

Joseph Valiant Ariola	SA USD0514-325764-200	Security Bank	US\$54,608.61
Patrocinia Ariola	CA 0831-332764-001	Security Bank	P1,015,000.00
	SA 0831-332764-200	Security Bank	P967,095.63
	SA 0831-332764-201	Security Bank	USD895.72
Rosario Baladjay	0073135079	Bank of the Philippine Island[s]	P558,023.38

The preliminary injunction heretofore issued is hereby made permanent.

With costs against defendants.

SO ORDERED.²⁴

In response to the Petition, petitioner filed its Comment²⁵ wherein it argued that the petition must be outrightly dismissed as respondents, in their Petition, did not state the complete facts, attached the affidavits of their witnesses, supporting documents, and other evidence.²⁶ After respondents filed their Reply²⁷ to the Comment, the RTC issued a Decision²⁸ dated June 27, 2011, dismissing the Petition for being insufficient in form and substance.

Aggrieved, respondents moved for reconsideration.²⁹ They insisted that their Petition was sufficient in form and substance; and that all the annexes were duly attached to the petition.³⁰

The RTC Ruling

On September 22, 2011, the RTC, after finding that the Petition was indeed complete in form and substance, issued an Order³¹ granting respondents' Motion for Reconsideration and reversing its June 27, 2011 Decision. The RTC explained that in its June 27, 2011 Decision, it had recognized the personalities of respondents and the

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²⁴ Id. at 119-125.

²⁵ Id. at 98-107.

²⁶ Id. at 104-106.

²⁷ Id. at 397-408.

²⁸ Id. at 413-415.

²⁹ Id. at 416-422.

³⁰ Id. at 418-421.

³¹ Id. at 426-429.

legitimacy of their claims; justice demands that the forfeited deposits be returned to the public, from whom the deposits were solicited, through the respondents, being the assignees-in-insolvency.³² The RTC, thus, disposed of the case in this wise:

ACCORDINGLY, finding the motion for reconsideration impressed with merit, the same is hereby granted.

The Order of this court dated June 27, 2011, is hereby set aside.

Plaintiff through the Ant (sic) Money Laundering Council is hereby directed to turn over to the claimants, in their capacities as assignees-in-insolvency, the proceeds of the forfeited bank accounts as decreed in the decision of this Court dated March 8, 2011.

SO ORDERED.³³

This time, it was petitioner's turn to move for reconsideration.³⁴

On December 1, 2011, however, the RTC issued an Order³⁵ denying petitioner's motion for reconsideration for lack of merit.

Undaunted, petitioner appealed the September 22, 2011, and December 1, 2011 Orders of the RTC with the CA.

The CA Ruling

In a Decision³⁶ promulgated on August 28, 2014, the CA dismissed petitioner's appeal and affirmed the RTC Decision. The CA ruled that the Petition of respondents was timely filed considering that it was filed within 15 days from the finality of the RTC Decision in the Forfeiture Case.³⁷ The CA further concluded that since petitioner did not specifically deny the allegations in respondents' Petition, they were deemed admitted, as well as the authenticity of the documents attached therein; further, petitioner is already estopped from insisting that a hearing on the Petition be conducted considering that during the hearing on June 15, 2011, petitioner had already agreed to submit the Petition for resolution without the need of a hearing.³⁸ The *fallo* of the assailed Decision reads:

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³² Id. at 428.

³³ Id. at 428-429.

³⁴ Id. at 156-166.

³⁵ Id. at 175.

³⁶ Id. at 56-69.

³⁷ Id. at 65.

³⁸ Id. at 66-67.

We **DISMISS** the appeal, and **AFFIRM** the Order dated 22 September 2011, and the Order dated 01 December 2011, both issued by the Regional Trial Court, Branch 24, Manila, in Civil Case No. 03-107325.

IT IS SO ORDERED.³⁹

Unsatisfied, petitioner moved for reconsideration. It was, however, denied for lack of merit per CA Resolution⁴⁰ dated April 7, 2015.

Hence, the instant Petition for Review on *Certiorari* raising the following issues:

Issues

I.

Whether or not the RTC erred in giving due course to the defective *Verified Petition* [; and]

II.

Whether or not the RTC erred in granting the *Verified Petition* without a hearing.⁴¹

The Court's Ruling

The petition is bereft of merit.

The Petition is sufficient in substance and form.

In the instant petition, petitioner insists that respondents' failure to state the timeliness of the filing of their petition warrants the outright dismissal of the case.

We disagree.

At the outset, a pleading is sufficient in form, if it complies with the following requirements outlined in the case of *Spouses Munsalud v. National Housing Authority*,⁴² viz.:

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³⁹ Id. at 68.

⁴⁰ Id. at 71-72.

⁴¹ Id. at 40.

⁴² 595 Phil. 750 (2008).

x x x

1. A Caption, setting forth the name of the court, the title of the action indicating the names of the parties, and the docket number which is usually left in blank, as the Clerk of Court has to assign yet a docket number;
2. The Body, reflecting the designation, the allegations of the party's claims or defenses, the relief prayed for, and the date of the pleading;
3. The Signature and Address of the party or counsel;
4. Verification. This is required to secure an assurance that the allegations have been made in good faith, or are true and correct and not merely speculative;
5. A Certificate of Non-forum Shopping, which although not jurisdictional, the same is obligatory;
6. An Explanation in case the pleading is not filed personally to the Court. Likewise, for pleading subsequent to the complaint, if the same is not served personally to the parties affected, there must also be an explanation why service was not done personally.

Likewise, for all other pleadings, not initiatory in nature, there must be:

A Proof of Service, which consists in the written admission of the party served, or the official return of the server, or the affidavit of the party serving, containing a full statement of the date, place and manner of service. If the service is by ordinary mail, proof thereof shall consist of an affidavit of the person mailing. If service is by registered mail, proof shall be made by such affidavit and the registry receipt issued by the mailing office.

In case a party is represented by counsel *de parte*, additional requirements that go into the form of the pleading should be incorporated, *viz.*:

1. The Roll of Attorney's Number;
2. The Current Professional Tax Receipt Number; and
3. The IBP Official Receipt No. or IBP Lifetime Membership Number.
4. MCLE Compliance or Exemption Certificate Number and Date of Issue (effective January 1, 2009).⁴³

Meanwhile, a pleading is deemed sufficient in substance if it contains all of the essential or material elements necessary to sufficiently state a good cause of action invulnerable to attack by a general demurrer.⁴⁴

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⁴³ Id. at 758-760.

⁴⁴ Id. at 761.

In the case at bench, a simple perusal of the Petition docketed as Civil Case No. 03-107325 reveals that it is sufficient in form. It has the caption with the name of the court, the name of the parties, and the docket number. The Petition contains allegations of respondents' claims. It has a prayer and the date when it was prepared. The signature page shows the signature and name of respondents' counsels, the counsels' IBP, PTR, Roll of Attorney's Numbers, and MCLE Compliance Numbers. The Petition was also verified and accompanied by a certificate of non-forum shopping and signed by respondents as therein petitioners. Finally, it was filed personally with the office of the clerk of court.⁴⁵

The Petition is likewise sufficient in substance. It contains material and factual allegations in support of respondents' claims. It sufficiently alleges the basis for respondents' claims against the subject bank accounts and deposits. In fact, the RTC, in its June 27, 2011 Decision, had recognized the personalities of respondents and the legitimacy of their claims, which validates the presence of all the essential or material elements necessary to sufficiently state a good cause of action. The Petition likewise contains all the essential attachments to support respondents' claim.

Notwithstanding, petitioner insists that respondents failed to state in their Petition the complete facts due to their failure to show the timeliness of the filing of their Petition.

We are not persuaded.

The pertinent provisions of the Rules of Procedure in Civil Forfeiture read:

Title VII
Claims against Forfeited Assets

Sec. 35. Notice to file claims. – Where the court has issued an order of forfeiture of the monetary instrument or property in a civil forfeiture petition for any money laundering offense defined under Section 4 of Republic Act No. 9160, as amended, any person who has not been impleaded nor intervened claiming an interest therein may apply, by verified petition, for a declaration that the same legitimately belongs to him and for segregation or exclusion of the monetary instrument or property corresponding thereto. **The verified petition shall be filed with the court which rendered the order of forfeiture within fifteen days from the date of finality of the order of forfeiture, in default of which the said order shall be executory and bar all other claims.**

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⁴⁵ *Rollo*, pp. 81-97.

Sec. 36. *How to file a claim; contents.* – In his petition, the claimant must state the complete facts, attach the affidavits of his witnesses, supporting documents and other evidence, and personally verify the claim. The claimant shall file the petition with the clerk of court, pay the docket and other lawful fees and submit proof of service of a copy of the claim upon the petitioner.

Sec. 37. *Effect of non-compliance with requirements.* – The court may dismiss the claim outright if it is not sufficient in form and substance and is manifestly filed for delay. Otherwise, it shall issue a notice to the petitioner to file its comment on the claim. (Emphasis supplied.)

Section 35, as quoted above, requires that a Petition be filed within 15 days from the finality of the order of forfeiture. As records would show, respondents' Petition was timely filed.

As held by the CA, petitioner received a copy of the September 23, 2010 order of forfeiture on October 6, 2010.⁴⁶ Since no motion for reconsideration nor any other pleading was filed by petitioner or by any of the defendants therein, the order of forfeiture was deemed final and executory on October 21, 2010, or 15 days thereafter. According to the above-quoted Section 35, respondents had until November 5, 2010, to file the Petition.⁴⁷ From the records of the case, two (2) days prior to the expiration of the 15-day prescriptive period, or on November 3, 2010, respondents personally filed the Petition with the clerk of court.⁴⁸ Clearly, the Petition was timely filed.

While admittedly, the Petition did not allege when respondents received a copy of the order of forfeiture, such is expected considering that they were not parties to the Forfeiture Case. It bears stressing that when the order of forfeiture was issued on September 23, 2010, respondents were not yet admitted as intervenors therein. At that time, the issue was still pending before the Supreme Court. Being strangers to the case, the RTC would not furnish respondents with copies of the order of forfeiture or any other order for that matter. There is, therefore, no way for the respondents to have alleged the date of receipt of the order of forfeiture.

Furthermore, assuming that respondents received a copy of the order of forfeiture, the date of the receipt thereof is irrelevant to the case. Its omission in the Petition will have no effect whatsoever on the

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⁴⁶ Available records do not show when defendants in the Forfeiture Case received the order of forfeiture.

⁴⁷ *Rollo*, p. 65.

⁴⁸ *Id.* at 379.

15-day prescriptive period for filing a petition. To reiterate, the order of forfeiture was deemed final 15 days after the receipt by the parties in the Forfeiture Case of the same, without them appealing, moving for reconsideration or new trial. The date of receipt of the same by respondents will have no effect at all. Hence, the date of receipt of the order of forfeiture by respondents is immaterial, and irrelevant in the case.

With the above disquisition, We hold and so rule that the Petition of respondents is not defective. Petitioner's claim that the Petition is insufficient in form and substance is, therefore, bereft of any merit.

The RTC committed no reversible error in granting the Petition without a hearing.

In the instant case, petitioner insists that it was denied due process when the RTC resolved the Petition without any hearing. Such contention, however, is untenable.

The pertinent provisions in the Rules of Procedure in Civil Forfeiture state:

Sec. 9. Comment or opposition. – The respondent shall file a verified comment or opposition, not a motion to dismiss the petition, within fifteen days from service of notice or within thirty days from the publication in case service of notice was by publication.

The comment or opposition shall (a) state whether respondent admits the allegations of the petition; (b) specify such inaccuracies or falsities in petitioner's statement of facts; and (c) state clearly and concisely the respondent's defense in law and the specific and pertinent provisions of the law and their applicability to respondent.

Sec. 10. Effect of failure to file comment or opposition. – If no comment or opposition is filed within the reglementary period, the court shall hear the case ex parte and render such judgment as may be warranted by the facts alleged in the petition and its supporting evidence.

Sec. 39. Disposition of admitted or uncontested claim. – **The court may, without hearing, issue an appropriate order approving any claim admitted or not contested by the petitioner.** (Emphasis supplied.)

The rules clearly require that a comment to the petition must (a) state whether respondent admits the allegations of the petition; (b) specify such inaccuracies or falsities in petitioner's statement of facts; and (c) state clearly and concisely the respondent's defense in law and the specific and pertinent provisions of the law and their applicability to respondent. Otherwise, the allegations in the petition are deemed admitted.

In a plethora of cases, We had the opportunity to emphasize that "the answer admits the material allegations of ultimate facts of the adverse party's pleadings not only when it expressly confesses the truth of such allegations but also when it omits to deal with them at all. The controversion of the ultimate facts must only be by specific denial.⁴⁹

In the instant case, petitioner failed to specifically deny the allegations in the Petition. A simple perusal of the petitioner's Comment will show that instead of denying the allegations in respondents' Petition, petitioner focused on the alleged insufficiency of the Petition, as to form and substance, and nothing else. In the Argument portion of its Comment,⁵⁰ petitioner merely contended that the Petition must be dismissed outright for it did not state the complete facts, and lacks the affidavit of its witnesses and supporting documents. There was no mention as to the validity or lack thereof of respondents' claim over the subject bank accounts and deposits. This is in violation of Section 9 of the Rules of Procedure in Civil Forfeiture. As such, petitioner is deemed to have admitted the claims made by respondents in the Petition.

Corollarily, since the claims in the Petition are deemed admitted and uncontested, the RTC had, pursuant to Section 39 of the Rules of Procedure in Civil Forfeiture, the option to resolve the case without hearing, which it did in the case. The RTC, therefore, did not err in resolving the case immediately after receipt of the petitioner's Comment and respondents' Reply thereto.

Furthermore, records show that petitioner acceded to the resolution of the Petition without the need of a hearing. In a hearing conducted on June 15, 2011, petitioner agreed to submit respondents' claims for resolution and did not insist that the RTC conduct a

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⁴⁹ *Fernando Medical Enterprises, Inc. v. Wesleyan University Phils., Inc.*, 778 Phil. 836, 849 (2016).

⁵⁰ *Rollo*, pp. 103-106.

hearing. As stated in the June 27, 2011 Decision, “On June 15, 2011, upon joint manifestation of opposing counsels, the incident was submitted for resolution.”⁵¹ Needless to state, petitioner is already estopped from insisting that a hearing should be conducted prior to the resolution of the Petition.

In sum, We agree with the CA that respondents’ Petition is sufficient in form and substance. It contains all the formal requisites of a pleading, as well as all the material allegations necessary to state a good cause of action. Admittedly, there was no allegation in the Petition of the date of receipt by respondents of the order of forfeiture. This, however, is to be expected considering that respondents were not parties to the case. Hence, the court will not furnish them with a copy of the Decision. Furthermore, such omission is immaterial so long as the Petition was filed within the 15-day period prescribed by the rules.

Finally, the RTC committed no reversible error in resolving the Petition without hearing. Petitioner failed to specifically deny the allegations in the Petition, hence, they are deemed admitted. Since the allegations are uncontested, the RTC opted to resolve the case without hearing pursuant to Section 39 of the Rules of Procedure in Civil Forfeiture. Records likewise show that petitioner expressly assented to the resolution of the Petition without hearing. Petitioner is, therefore, estopped to insist otherwise.

On a final note, We stress that the government must not keep the money not belonging to it and thereby enrich itself at the expense of its law-abiding citizens.⁵²

In view of all the foregoing, We find no reason to deviate from the CA’s assailed Decision and Resolution. The forfeited bank accounts and deposits should be turned over to respondents for collation and eventual distribution to the creditors’ rightful claims.

WHEREFORE, in view of the foregoing premises, the instant petition is **DISMISSED**. The assailed August 28, 2014 Decision and April 7, 2015 Resolution of the Court of Appeals in CA-G.R. CV No. 98961, are **AFFIRMED in toto**.

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⁵¹ Id. at 414.

⁵² *BPI Family Savings Bank, Inc. v. Court of Appeals*, 386 Phil. 719, 729 (2000).

SO ORDERED.”

By authority of the Court:


LIBRADA C. BUENA
Division Clerk of Court *March 23, 2022*

by:

MARIA TERESA B. SIBULO
Deputy Division Clerk of Court
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