



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **14 February 2022** which reads as follows:*

“G.R. No. 258043 (Heirs of Gregorio Enriquez, namely: Ofellia C. Catanghal, Amelia E. Lizarondo, Mercedes E. Sidora, Corazon E. Manalo, Zenaida E. Mercado, Eugenia E. Gregorio, Leticia S. Enriquez, and Hilaria G. Enriquez v. Lourdes Punzalan and Elpidio Castillo). – After a judicious study of the case, the Court resolves to **DENY** the instant petition¹ and **AFFIRM** the Decision² dated May 20, 2021 and the Resolution³ dated October 19, 2021 of the Court of Appeals (CA) in CA-G.R. SP No. 165075, for failure of petitioners Ofellia C. Catanghal, Amelia E. Lizarondo, Mercedes E. Sidora, Corazon E. Manalo, Zenaida E. Mercado, Eugenia E. Gregorio, Leticia S. Enriquez, and Hilaria G. Enriquez (petitioners) to show that the CA committed any reversible error in finding that their cause of action to claim disturbance compensation had already prescribed.

As correctly ruled by the CA, petitioners’ complaint for disturbance compensation was already barred by prescription. Pursuant to Republic Act (R.A.) No. 3844,⁴ as Amended, disturbance compensation is granted to an agricultural lessee or tenant in situations where his peaceful enjoyment and possession of the land is disturbed or interrupted by the owner/lessor thereof.⁵ The law requires that an action to enforce any cause of action thereunder shall be barred if not commenced within three (3) years after the cause of action accrued.⁶ The prescriptive period for the filing of a complaint for disturbance compensation should be reckoned from the time the tenant lost possession of the disputed property.⁷ In this case, it was established by the evidence on record that petitioners have not been in actual possession of the disputed property since they abandoned

¹ See Petition for Review on *Certiorari* dated December 22, 2021. *Rollo*, pp. 34-41.

² *Id.* at 8-19. Penned by Associate Justice Elihu A. Ybañez with Associate Justices Geraldine C. Fiel-Macaraig and Carlito B. Calpatura, concurring.

³ *Id.* at 22-26.

⁴ Entitled ‘AN ACT TO ORDAIN THE AGRICULTURAL LAND REFORM CODE AND TO INSTITUTE LAND REFORMS IN THE PHILIPPINES, INCLUDING THE ABOLITION OF TENANCY AND THE CHANNELING OF CAPITAL INTO INDUSTRY, PROVIDE FOR THE NECESSARY IMPLEMENTING AGENCIES, APPROPRIATE FUNDS THEREFOR AND FOR OTHER PURPOSES,’ approved on August 8, 1963.

⁵ See *Pagtalunan v. Tamayo*, 262 Phil. 267, 272-273 (1990). See also Section 36 of R.A. 3844.

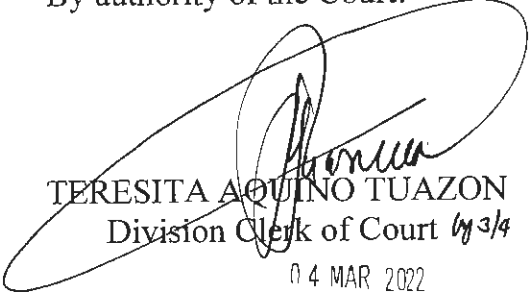
⁶ See Sec. 38 of R.A. 3844.

⁷ See *Bunye v. Aquino*, 396 Phil. 533, 545 (2000).

the same in 2000.⁸ Petitioners likewise failed to prove that they, as purported tenants, continued tilling the land and paying for its lease since that time.⁹ Accordingly, petitioners' cause of action had already prescribed when they initiated the present case in 2012.¹⁰ It bears stressing that the Court generally accords respect, if not finality, to the factual findings of quasi-judicial bodies, especially when affirmed by the CA,¹¹ as in this case.

SO ORDERED.”

By authority of the Court:


TERESITA AQUINO TUAZON
Division Clerk of Court *by 3/4*
04 MAR 2022

ATTY. JOHN ALBINO C. ACHAS (reg)
Counsel for Petitioners
724-F, Tandem Building
Quirino Avenue, Malate
Manila

ATTY. BOBBY L. BILLOTE, CPA (reg)
Counsel for Respondents
Room 6, G/F, Hiyas ng Bulacan
Convention Center, Annex Building
Provincial Capitol Compound
Malolos City, Bulacan

DEPARTMENT OF AGRARIAN REFORM
ADJUDICATION BOARD (reg)
Annex Building, DAR Central Office Compound
Elliptical Road, Diliman, 1100 Quezon City
(DARAB Case No. 18358)

JUDGMENT DIVISION (x)
Supreme Court, Manila

PUBLIC INFORMATION OFFICE (x)
LIBRARY SERVICES (x)
[For uploading pursuant to A.M. No. 12-7-SC]

OFFICE OF THE CHIEF ATTORNEY (x)
OFFICE OF THE REPORTER (x)
PHILIPPINE JUDICIAL ACADEMY (x)
Supreme Court, Manila

COURT OF APPEALS (x)
Ma. Orosa Street
Ermita, 1000 Manila
CA-G.R. SP No. 165075

Please notify the Court of any change in your address.
GR258043. 2/14/2022(223)URES

⁸ *Rollo*, p. 15.

⁹ *Id.* at 16.

¹⁰ *Id.*

¹¹ See *NGEI Multi-Purpose Cooperative, Inc. v. Filipinas Palmoil Plantation, Inc.*, 697 Phil. 433, 444 (2012).