



Republic of the Philippines  
Supreme Court  
Baguio City

FIRST DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated January 11, 2023 which reads as follows:*

**“G.R. No. 228311 (*Wendy Estelle A. Paje-Blacano and Heather<sup>1</sup> A. Paje, herein represented by their Attorney-in-fact, Noel A. Blacano, petitioners v. Amando G. Paje, Sr., Lydia A. Paje, Romeo Nambatac, Ninita A. Paje-Nambatac, Rolly A. Paje, Sr., Brenda T. Paje, Robert A. Paje, Rossel A. Paje, Eva Flor A. Paje-Velga, Arman A. Paje, Joan L. Paje, Joel A. Paje, Jackylou B. Paje, Divinel Y. Luaña, Maricel A. Paje-Luaña, Freddie M. Amora, Mary Jean A. Paje-Amora and Amando A. Paje, respondents*). – This involves an Appeal by *Certiorari* seeking to reverse and set aside the August 2, 2016 Decision<sup>2</sup> and October 10, 2016 Resolution<sup>3</sup> of the Court of Appeals (CA) in CA-G.R. SP No. 06408-MIN, which ordered the reversal of the June 13, 2014 Decision<sup>4</sup> and September 9, 2014 Order<sup>5</sup> of the Regional Trial Court of Libertad, Butuan City, Branch 33 (RTC) in Civil Case No. 6733.**

The RTC affirmed the August 22, 2013 Judgment<sup>6</sup> of the Municipal Trial Court in Cities, Butuan City, Branch 1 (MTCC) in Civil Case No. 12781, which granted the Complaint for Unlawful Detainer, Damages, and Attorney’s Fees filed by Wendy Estelle A. Paje-Blanco and Heather A. Paje, through their representative Noel A. Blacano (collectively, *petitioners*).

---

<sup>1</sup> Referred to as Heater in some parts of the *rollo* (*rollo*, p. 91).

<sup>2</sup> *Rollo*, pp. 9-17; penned by Associate Justice Maria Filomena D. Singh (now a Member of the Court), and concurred in by Associate Justices Edgardo A. Camello and Perpetua T. Atal-Paño.

<sup>3</sup> CA *rollo*, pp. 376-377.

<sup>4</sup> *Rollo*, pp. 96-101; penned by Presiding Judge Edgar G. Manilag.

<sup>5</sup> *Id.* at 9.

<sup>6</sup> *Id.* at 91-94; penned by Presiding Judge Dennis B. Castilla.

### Antecedents

On February 13, 2013, petitioners filed a Complaint for Unlawful Detainer, Damages, and Attorney's Fees<sup>7</sup> against Amando G. Paje, Sr. (*Amando*) and his family, namely: Lydia A. Paje, Rolly A. Paje, Sr., Arman A. Paje, Maricel A. Paje-Luana, Freddie M. Amora, Mary Jean A. Paje-Amora, Amando A. Paje, and Roberto A. Paje (collectively, *respondents*) before the MTCC, docketed as Civil Case No. 12781.<sup>8</sup>

Petitioners alleged that they were the owners of a parcel of land covered by Transfer Certificate of Title No. T-33701,<sup>9</sup> with an area of 46,772 square meters (sq. m.), located at *Barangay* Bancasi, Butuan City, which they inherited from their late father, Elpidio G. Paje (*Elpidio*). They claimed that Elpidio, during his lifetime, allowed respondents to reside at the subject property.<sup>10</sup>

After Elpidio's demise, petitioners decided to sell the land. In view thereof, they verbally demanded respondents to vacate the subject property on or before November 2012, but respondents refused.<sup>11</sup>

Petitioners submitted the dispute to the *Lupong Tagapamayapa* of *Barangay* Bacansi, but no compromise was reached and a Certificate to File Action was issued. Petitioners sent several demand letters to respondents to vacate the property but despite receipt, the latter still failed to heed their demands. Thus, on February 13, 2013, petitioners filed the instant ejectment complaint before the MTCC.<sup>12</sup>

In their Answer,<sup>13</sup> respondents claimed that in 1987, Amando and Elpidio entered into a tenancy agreement over the land with a 50-50 sharing of the harvest. Respondents argued that regular courts have no jurisdiction over the ejectment complaint because it is an agrarian dispute which falls within the jurisdiction of the Department of Agrarian Reform Adjudication Board (*DARAB*).<sup>14</sup>

---

<sup>7</sup> Id. at 82-90.

<sup>8</sup> Id. at 10.

<sup>9</sup> Id. at 69.

<sup>10</sup> Id.

<sup>11</sup> Id.

<sup>12</sup> Id.

<sup>13</sup> Id. at 10-11.

<sup>14</sup> Id.

### ***The Ruling of the MTCC***

On August 22, 2013, the MTCC ordered respondents to vacate the property. The MTCC found that respondents failed to adduce substantial evidence that there was a tenancy relationship between respondents and Elpidio. Looking into the evidence presented, the MTCC concluded that there was no sharing of harvests.<sup>15</sup> The dispositive portion of the MTCC Judgment reads:

**WHEREFORE**, judgment is hereby rendered granting the claim of the plaintiffs, declaring them to be entitled to possess the 46,772 sq. meters land, located in Barangay Bancasi, Butuan City, and ordering defendants to vacate the land, except for those who are no longer living therein, and to peacefully restore possession thereof to the plaintiffs.

Defendants are likewise ordered to pay:

- 1) [P]15,000.00 as attorney's fees; and
- 2) cost of suit.

**SO ORDERED.**<sup>16</sup>

Meanwhile, on June 4, 2013, while the unlawful detainer case was still pending before the MTCC, respondents filed a petition for declaration of tenancy status before the DARAB, docketed as DARAB Case No. XIII (02)-4754. The case was consolidated with DARAB Case No. XIII (02)-4753, involving a smaller parcel of land covered by Original Certificate of Title No. P-7364 and still registered in the name of Elpidio. On September 2, 2013, the DARAB rendered its Decision<sup>17</sup> declaring respondents to be agricultural tenants over the subject lands.<sup>18</sup>

### ***The RTC Ruling***

On appeal, the RTC affirmed the MTCC Decision. It found that there was no tenancy relationship between the parties.<sup>19</sup>

The RTC took note that at the time respondents filed their Answer to the complaint for unlawful detainer, they had not yet been declared tenants. Needless to say, at the time the MTCC rendered its judgment on August 22,

---

<sup>15</sup> Id. at 93-94.

<sup>16</sup> Id. at 94.

<sup>17</sup> CA *rollo*, pp. 118-123; penned by Adjudicator Abeto A. Salcedo, Jr.

<sup>18</sup> Id. at 122.

<sup>19</sup> *Rollo*, pp. 100-101.

2013, there was yet no decision issued by the DARAB.<sup>20</sup> The *fallo* of the June 13, 2014 RTC Decision reads:

WHEREFORE, finding no reversible error, the assailed Judgment of the court *a quo* is AFFIRMED.

SO ORDERED.<sup>21</sup>

Aggrieved, respondents, in their Motion for Reconsideration,<sup>22</sup> reiterated that regular courts have no jurisdiction over the case because there was a tenancy relationship as determined by the DARAB.<sup>23</sup> Their motion for reconsideration was denied in the Order dated September 9, 2014,<sup>24</sup> thus respondents filed a Notice of Appeal<sup>25</sup> dated September 19, 2014.

### *The CA Ruling*

The CA reversed the RTC ruling. It held that regular courts have no jurisdiction over the present case because of the existence of a tenancy agreement between respondents and Elpidio, which rightfully falls within the jurisdiction of the DARAB pursuant to Section 50<sup>26</sup> of Republic Act (R.A.)

---

<sup>20</sup> Id. at 99-100.

<sup>21</sup> Id. at 101.

<sup>22</sup> CA rollo, pp. 110-117.

<sup>23</sup> Id. at 110-116.

<sup>24</sup> Id. at 95.

<sup>25</sup> Id.

<sup>26</sup> Republic Act No. 6657, Sec. 50 reads:

Sec. 50. *Quasi-Judicial Powers of the DAR.* – The DAR is hereby vested with the primary jurisdiction to determine and adjudicate agrarian reform matters and shall have exclusive original jurisdiction over all matters involving the implementation of agrarian reform except those falling under the exclusive jurisdiction of the Department of Agriculture (DA) and the Department of Environment and Natural Resources (DENR).

It shall not be bound by technical rules of procedure and evidence but shall proceed to hear and decide all cases, disputes or controversies in a most expeditious manner, employing all reasonable means to ascertain the facts of every case in accordance with justice and equity and the merits of the case. Toward this end, it shall adopt a uniform rule of procedure to achieve a just, expeditious and inexpensive determination for every action or proceeding before it.

It shall have the power to summon witnesses, administer oaths, take testimony, require submission of reports, compel the production of books and documents and answers to interrogatories and issue subpoena, and subpoena *duces tecum*, and enforce its writs through sheriffs or other duly deputized officers. It shall likewise have the power to punish direct and indirect contempts in the same manner and subject to the same penalties as provided in the Rules of Court.

Responsible farmer leaders shall be allowed to represent themselves, their fellow farmers, or their organizations in any proceedings before the DAR: Provided, however, That when there are two or more representatives for any individual or group, the representatives should choose only one among themselves to represent such party or group before any DAR proceedings.

Notwithstanding an appeal to the Court of Appeals, the decision of the DAR shall be immediately executory.

No. 6657,<sup>27</sup> granting the DARAB primary and exclusive original jurisdiction to determine and adjudicate agrarian reform matters.<sup>28</sup>

The Decision in DARAB Case Nos. XIII (02)-4753 to 54 has a binding effect on both the MTCC and RTC, despite the petition for declaration of tenancy filed after the ejectment case was instituted, and the DARAB Decision being issued only during pendency of the appeal in the RTC.<sup>29</sup>

The CA explained that the doctrine of primary jurisdiction prevents the court from arrogating unto itself the authority to resolve a controversy involving a question that falls within the jurisdiction of an administrative tribunal.<sup>30</sup>

Moreover, the CA held that the DARAB Decision had already attained finality for failure of petitioners to elevate the case by appeal.<sup>31</sup>

The decretal portion of the CA Decision reads:

WHEREFORE, the petition is GRANTED. The assailed Decision dated June 13, 2014 and the Order dated September 9, 2014 of the Regional Trial Court, 10<sup>th</sup> Judicial Region, Branch 33, Libertad, Butuan City, in Civil Case No. 6733, affirming the August 22, 2013 Judgment of the Municipal Trial Court in Cities, Branch 1, Butuan City, in Civil Case No. 12781, are REVERSED and SET ASIDE. The Complaint in Civil Case No. 12781 is DISMISSED for lack of jurisdiction.

SO ORDERED.<sup>32</sup>

Petitioners moved for reconsideration,<sup>33</sup> which the CA denied in its October 10, 2016 Resolution.<sup>34</sup>

Hence, this appeal.

---

<sup>27</sup> Entitled "AN ACT INSTITUTING A COMPREHENSIVE AGRARIAN REFORM PROGRAM TO PROMOTE SOCIAL JUSTICE AND INDUSTRIALIZATION, PROVIDING THE MECHANISM FOR ITS IMPLEMENTATION, AND FOR OTHER PURPOSES." Approved: June 10, 1988.

<sup>28</sup> *Rollo*, pp. 13-16.

<sup>29</sup> *Id.* at 16.

<sup>30</sup> *Id.*

<sup>31</sup> *Id.*

<sup>32</sup> *Id.* at 17.

<sup>33</sup> *Id.* at 112-122.

<sup>34</sup> *Id.* at 19-20.



### *The Petition*

Petitioners allege that the CA gravely abused its discretion when it ruled that the MTCC and RTC had no jurisdiction over the case and that the DARAB Decision had become final and executory.<sup>35</sup>

Contrary to the ruling of the CA, petitioners submit that an ejectment case can be filed against a tenant. Citing *Amis v. Aragon*<sup>36</sup> and *Prieto v. Reyes*,<sup>37</sup> petitioners counter that an action for detainer is proper not only against a tenant, vendor or vendee, but also against any other person unlawfully withholding the possession of any land or building.<sup>38</sup>

Petitioners also allude that the timing of the filing of the DARAB complaint is specious. According to petitioners, as the tenancy complaint was filed only on February 13, 2013, it was a mere afterthought in view of the filing of the ejectment case.<sup>39</sup>

Citing *Caraan v. Court of Appeals*,<sup>40</sup> petitioners allege that the court *a quo* has jurisdiction:

The determination by the DAR concerning the tenancy relationship between the parties is only preliminary. After making its determination, the DAR can issue the appropriate certification for court action. There is nothing in the decree which vested in the Secretary the final authority to rule on the existence or non-existence of a tenancy relationship whenever a case is referred to it by the courts pursuant to P.D. 316. The DAR's preliminary determination, in the exercise of its adjudicatory powers, does not even foreclose a further examination by the courts nor is the latter bound by the former's initial appreciation of the relationship between the parties as provided in P.D. 1038. Moreover, with the express repeal of P.Ds. 316 and 1038 by Section 76 of R.A. 6657, the reference to the DAR became unnecessary, as the trial court may now proceed to hear the case. The reference requirement under the decree is merely a procedural matter, the repeal of which did not cause any prejudice to petitioner. Besides, there is nothing in the decree which says that if the DAR determines the existence of a tenancy relationship, an ejectment case cannot prosper.<sup>41</sup>

---

<sup>35</sup> Id. at 35.

<sup>36</sup> G.R. No. L-4684, April 28, 1951, cited in *Ganancial v. Atillo*, 121 Phil. 1249, 1253-1254 (1965); *Sarona v. Villegas*, 131 Phil. 365, 372 (1968).

<sup>37</sup> 121 Phil. 1218 (1965).

<sup>38</sup> Id. at 39.

<sup>39</sup> Id.

<sup>40</sup> 352 Phil. 417 (1998).

<sup>41</sup> Id. at 421-422.

### Issue

The lone issue for the Court's resolution is whether regular courts have jurisdiction in ejectment cases over lands involved in agrarian disputes.

### *The Court's Ruling*

The Court rules in the negative.

Jurisdiction over the subject matter is conferred by law and determined by the allegations in the complaint, including the character of the reliefs prayed for.<sup>42</sup> In determining jurisdiction, it is not only the nature of the issues, but also the status or relationship of the parties, which are considered.<sup>43</sup>

Ordinarily, unlawful detainer complaints fall within the jurisdiction of general courts under *Batas Pambansa Blg. 129*,<sup>44</sup> as amended by R.A. No. 7691.<sup>45</sup> Distinction should be made, however, when the controversy relates to tenancy over lands devoted to agriculture.

Sec. 50 of R.A. No. 6657, otherwise known as the Comprehensive Agrarian Reform Law (*CARL*), grants the Department of Agrarian Reform (*DAR*) quasi-judicial powers over matters involving the implementation of agrarian reform:

SEC. 50. *Quasi-Judicial Powers of the DAR.* — The DAR is hereby vested with the primary jurisdiction to determine and adjudicate agrarian reform matters and shall have exclusive original jurisdiction over all matters involving the implementation of agrarian reform except those falling under the exclusive jurisdiction of the Department of Agriculture (DA) and the Department of Environment and Natural Resources (DENR).

The DAR exercises this jurisdiction through its adjudicating arm, the DARAB. It has powers over (1) determination and adjudication of all matters involving implementation of agrarian reform; (2) resolution of agrarian conflicts and land-tenure related problems; and (3) approval or disapproval of

<sup>42</sup> *Dayrit v. Norquillas*, G.R. No. 201631, December 7, 2021.

<sup>43</sup> See *Gelos v. Court of Appeals*, 284-A Phil. 114, 121-123 (1992).

<sup>44</sup> Entitled "AN ACT REORGANIZING THE JUDICIARY, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES." Approved: August 14, 1981.

<sup>45</sup> Entitled "AN ACT EXPANDING THE JURISDICTION OF THE METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS, AND MUNICIPAL CIRCUIT TRIAL COURTS, AMENDING FOR THE PURPOSE BATAS PAMBANSA, BLG. 129, OTHERWISE KNOWN AS THE 'JUDICIARY REORGANIZATION ACT OF 1980.'" Approved: March 28, 1994.

the conversion, restructuring or readjustment of agricultural lands into residential, commercial, industrial, or other non-agricultural use.<sup>46</sup>

The jurisdiction of the DAR over agrarian reform controversies, which includes tenancy relationships, is primary and exclusive. Sec. 1, Rule II of the DARAB Rules of Procedure of 1994<sup>47</sup> recognizes the primary and exclusive jurisdiction of the DARAB in certain matters, particularly:

*Sec. 1. Primary and Exclusive Original and Appellate Jurisdiction.*

— The Board shall have primary exclusive jurisdiction, both original and appellate, to determine and adjudicate all agrarian disputes involving the implementation of the Comprehensive Agrarian Reform Program (CARP) under Republic Act No. 6657, Executive Order Nos. 228, 229, and 129-A, Republic Act No. 3844 as amended by Republic Act No. 6389, Presidential Decree No. 27 and other agrarian laws and their implementing rules and regulations. Specifically, such jurisdiction shall include but not be limited to cases involving the following:

- a) The rights and obligations of persons, whether natural or juridical, engaged in the management, cultivation and use of all agricultural lands covered by the CARP and other agrarian laws x x x.

As defined in Sec. 3(d) of R.A. No. 6657, agrarian disputes refer to “any controversy relating to tenurial arrangements, whether leasehold, tenancy, stewardship or otherwise, over lands devoted to agriculture, including disputes concerning farmworkers’ associations or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of such tenurial arrangements.”

To strengthen the powers of the DAR, Sec. 50 of CARL was amended by R.A. No. 9700,<sup>48</sup> which reads as follows:

**Section 19.** Section 50 of Republic Act No. 6657, as amended, is hereby further amended by adding Section 50-A to read as follows:

**SEC. 50-A. Exclusive Jurisdiction on Agrarian Dispute.** - No court or prosecutor’s office shall take cognizance of cases pertaining to the implementation of the CARP except those provided under Section 57 of Republic Act No. 6657, as amended. **If there is an allegation from any of the parties that the case is agrarian in nature and one of the parties is a farmer, farmworker, or tenant, the case shall be automatically referred**

<sup>46</sup> *Salazar v. De Leon*, 596 Phil. 472, 484 (2009).

<sup>47</sup> Approved: May 30, 1994.

<sup>48</sup> Entitled “AN ACT STRENGTHENING THE COMPREHENSIVE AGRARIAN REFORM PROGRAM (CARP), EXTENDING THE ACQUISITION AND DISTRIBUTION OF ALL AGRICULTURAL LANDS, INSTITUTING NECESSARY REFORMS, AMENDING FOR THE PURPOSE CERTAIN PROVISIONS OF REPUBLIC ACT NO. 6657, OTHERWISE KNOWN AS THE COMPREHENSIVE AGRARIAN REFORM LAW OF 1988, AS AMENDED, AND APPROPRIATING FUNDS THEREFOR.” Approved: August 7, 2009.



**by the judge or the prosecutor to the DAR which shall determine and certify within fifteen (15) days from referral whether an agrarian dispute exists:** Provided, That from the determination of the DAR, an aggrieved party shall have judicial recourse. In cases referred by the municipal trial court and the prosecutor's office, the appeal shall be with the proper regional trial court, and in cases referred by the regional trial court, the appeal shall be to the Court of Appeals.

In cases where regular courts or quasi-judicial bodies have competent jurisdiction, agrarian reform beneficiaries or identified beneficiaries and/or their associations shall have legal standing and interest to intervene concerning their individual or collective rights and/or interests under the CARP.

The fact of non-registration of such associations with the Securities and Exchange Commission, or Cooperative Development Authority, or any concerned government agency shall not be used against them to deny the existence of their legal standing and interest in a case filed before such courts and quasi-judicial bodies. (Emphasis supplied)

The amendment of Sec. 50 reinforced the primacy of the DAR's jurisdiction. With the modification, a judge or prosecutor is mandated to automatically refer a case to the DAR should there be any allegation from any of the parties that the case is agrarian in nature, and one of the parties is a farmer, farmworker, or tenant.

In the recent case of *Dayrit v. Norquillas*,<sup>49</sup> the Court, citing *Chailese Development Co., Inc. v. Dizon*<sup>50</sup> (*Chailese*), explained that when the following facts concur, the judge or prosecutor must automatically refer the case to the DAR:

- a. There is an allegation from any one or both of the parties that the case is agrarian in nature; and
- b. One of the parties is a farmer, farmworker, or tenant.<sup>51</sup>

The presence of the first requirement here is undeniable. Petitioners claim that respondents should vacate the property because they are the owners of the subject property, while respondents refuse to surrender the land on the ground that they are tenants harvesting the land and have rights that are protected under agrarian reform laws. The mere allegation by respondents in their Answer of the existence of an agrarian dispute is enough.

---

<sup>49</sup> Supra note 42.

<sup>50</sup> 826 Phil. 51 (2015).

<sup>51</sup> Id. at 62.

As to the second requirement, *Chailese* instructs that proof of the status of one of the parties as farmer, farmworker, or tenant is required.<sup>52</sup> The Court expounded on what constitutes adequate proof of such in the recent case of *Cruz v. Cervantes*:<sup>53</sup>

x x x Thus, the kind of proof that should be deemed sufficient by the MTC to establish the second requisite should be of such a nature that requires only a facial assessment or determination and that such proof would be acceptable to a reasonable mind that the respondent is a farmer, farmworker, or tenant. x x x requiring a higher standard of proof would result in protracted proceedings before the referring court and would negate the very purpose of the mandatory referral mechanism which affords the DAR, in view of its expertise in agrarian reform, the opportunity to determine the nature of the dispute involved. As such, We hold that the proof required shall pertain to any kind of evidence which, on its face, shows that one of the parties is a farmer, farmworker, or tenant. (Citation omitted)

The MTCC delved into this issue and ruled that respondents failed to satisfactorily establish to the court the existence of a sharing of harvests between the parties. On the other hand, the DARAB made a contrary finding.

The DARAB held that it was established by substantial evidence that it was Elpidio himself, as the landowner, who installed Amando as tenant, and who brought Amando and the latter's entire family from Lanao del Sur to the landholding in Agusan del Norte. The siblings agreed to a 50/50 sharing arrangement. The DARAB further held that respondents provided details as to how the crop sharing agreement had been implemented and how much had been given to Elpidio. Two disinterested persons testified that respondents had paid the landowner's share. Lastly, the *Barangay* Captain certified respondents as tenants of the subject land.<sup>54</sup>

Thus, the Court holds that the respondents were able to prove their status as tenants, in compliance with the second requirement of *Chailese*.

Indeed, it was only after the MTCC rendered its judgment that the DARAB decided Case Nos. XIII (02)-4753 to 54, ruling that there indeed existed a tenancy relationship between the parties. Thus, upon such determination by the DARAB, the two requirements in *Chailese* had been met. When the RTC was informed of the DARAB Decision, it became incumbent upon it to dismiss the case in deference to the DAR's exclusive and primary jurisdiction over agrarian reform controversies.

---

<sup>52</sup> Id. at 63-64.

<sup>53</sup> G.R. No. 244433, April 19, 2022.

<sup>54</sup> CA *rollo*, p. 121.

The respect for jurisdiction of administrative bodies is in accordance with the elementary rule of primary jurisdiction which precludes regular courts from resolving a controversy over which jurisdiction has been lodged with an administrative body of special competence.<sup>55</sup> Based on this doctrine, the existence of prior agricultural tenancy relationship will divest the courts of its jurisdiction.<sup>56</sup>

A violation of the doctrine of primary jurisdiction will result in the invalidity of the proceedings before such court or tribunal, including its decision, and will render the judgment susceptible to direct and collateral attacks.<sup>57</sup> As a result, the proceedings, findings, and rulings of the MTCC and RTC, having no jurisdiction over the case, shall have no force and effect.

Petitioners' reliance on *Caraan* is unavailing, as it has been overtaken by subsequent legislative developments. The Court's ruling in *Caraan* involved the application of Presidential Decree Nos. 316 and 1038, and the effect of their repeal by R.A. No. 6657. While *Caraan* was decided in 1998, R.A. No. 6657 itself had already been amended by R.A. No. 9700 in 2009.

Lastly, petitioners allege that the Decision in DARAB Case Nos. XIII (02)-4753 to 54 had not yet attained finality, in view of their filing of an omnibus motion for reconsideration. They attached to their petition a copy of the purported motion.<sup>58</sup>

Unfortunately for petitioners, the copy of the motion appended to the instant petition does not appear to be a certified true copy from the records of the DAR. There is nothing therein which shows that the said pleading was in fact timely filed, much less received by the DAR. Furthermore, the existence of such a pending motion for reconsideration is factual in nature, and not an appropriate concern in a petition for review on *certiorari* under Rule 45 of the Rules of Court. Thus, the Court defers to the CA finding that the DARAB Decision had not been appealed.

Besides, a final and executory decision by the DAR is not required to divest the regular courts of jurisdiction. If anything, petitioners could have shown that there was already a ruling by the DAR reversing its earlier findings and holding that the instant case does not involve an agrarian dispute, which clearly is not the case herein.

---

<sup>55</sup> *Salazar v. De Leon*, supra note 46 at 490.

<sup>56</sup> *Id.* at 489-490.

<sup>57</sup> *Pangilinan v. Balatbat*, 694 Phil. 605, 623-624 (2012).

<sup>58</sup> *Rollo*, p. 40.

In sum, the Court must accord due respect to the factual findings of the DARAB that a tenancy agreement exists between petitioners and respondents. The findings of the DARAB, as an administrative agency, are binding and conclusive upon this Court, for as long as substantial evidence supports said factual findings.<sup>59</sup>

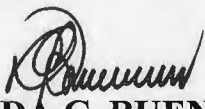
**WHEREFORE**, the petition is **DENIED**. The assailed August 2, 2016 Decision of the Court of Appeals in CA-G.R. SP No. 06408-MIN, reversing the June 13, 2014 Decision and September 9, 2014 Order of the Regional Trial Court of Libertad, Butuan City, Branch 33 in Civil Case No. 6733, is **AFFIRMED**.

The Complaint for Unlawful Detainer filed before the Municipal Trial Court in Cities of Butuan City, Branch 1, docketed as Civil Case No. 12781 is **DISMISSED** for lack of jurisdiction.

The Letter dated July 20, 2022 of Ms. Nelsie D. Loja, Chief, Archives Section, Court of Appeals-Mindanao Station, Cagayan de Oro City, in compliance with the Resolution dated November 11, 2021, transmitting the rollo of CA-G.R. SP No. 06408-MIN with 406 pages, is **NOTED**.

**SO ORDERED.”** *Hernando, J., on leave.*

**By authority of the Court:**

  
**LIBRADA C. BUENA**  
Division Clerk of Court *m 11/26*

by:

**MARIA TERESA B. SIBULO**  
Deputy Division Clerk of Court

**125**

**MAR 01 2023**

Atty. Dennis Maghuyop Bacala  
Counsel for Petitioners  
3F, Cesia Building  
South Montilla Boulevard  
Butuan City, 8600 Agusan del Norte

Court of Appeals  
9000 Cagayan de Oro City  
(CA-G.R. SP No. 06408-MIN)

<sup>59</sup> *Salazar v. De Leon*, supra note 46 at 489.

PUBLIC ATTORNEY’S OFFICE  
Regional Special and Appealed Cases Unit  
Counsel for Respondents  
2/F, BJS Building  
Tiano Bros. cor. San Agustin Streets  
9000 Cagayan de Oro City

The Hon. Presiding Judge  
Regional Trial Court, Branch 33  
Libertad, Butuan City  
8600 Agusan del Norte  
(Civil Case No. 6733)

The Hon. Presiding Judge  
Municipal Trial Court in Cities, Branch 1  
Butuan City, 8600 Agusan del Norte  
(Civil Case No. 12781)

Public Information Office (x)  
Library Services (x)  
Supreme Court  
(For uploading pursuant to A.M.  
No. 12-7-1-SC)

Philippine Judicial Academy (x)  
Supreme Court

Judgment Division (x)  
Supreme Court

