



Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated November 13, 2023, which reads as follows:

“JIB FPI No. 21-030-RTJ (*Mechel Contractors Overseas Ltd. Corporation, represented by Mr. Delmundo Dablo v. Hon. Marivic T. Balisi-Umali, Presiding Judge, Regional Trial Court, Branch 20, Manila*). — This refers to the Report¹ dated 18 November 2022 of the Judicial Integrity Board (JIB) on the letter Complaint² filed by complainant Mechel Contractors Overseas Ltd. Corp. (complainant), represented by Mr. Delmundo Dablo charging respondent Hon. Marivic T. Balisi-Umali, (respondent) Presiding Judge, Branch 20, Regional Trial Court (RTC), Manila with obvious and extreme partiality, evident bad faith and gross ignorance of the law.

Antecedents

Complainant was the defendant in a civil case for forcible entry filed by plaintiff Huang Hsiang Development Corporation (Huang Hsiang) before Branch 3, Metropolitan Trial Court (MeTC), Manila. In its Answer, complainant raised the issue that Huang Hsiang, based on its complaint, is foreign-owned and hence, cannot acquire lands in the Philippines. The case was dismissed for lack of merit in the MeTC’s Decision dated 10 September 2018.³

Huang Hsiang appealed the case to the RTC of Manila which raffled the case to Branch 20, presided by respondent. In her Decision dated 22 October 2020, respondent set aside the decision of the MeTC and directed

¹ *Rollo*, pp. 111-122.

² *Id.* at 2-7.

³ *Id.* at 10-23; Penned by Acting Presiding Judge Roland Dennis G. Molina.

Am

complainant to vacate and surrender possession of the subject property. In its supplement to the Motion for Reconsideration, complainant raised the argument about the constitutional ban against foreigners to own lands in the Philippines. Respondent denied said motion in her Order dated 15 April 2015.⁴ Hence, the instant administrative Complaint.

Report and Recommendation

In his Report and Recommendation⁵ dated 07 April 2022, Acting Executive Director (AED) James D.V. Navarrete (AED Navarrete), recommended that the administrative complaint against respondent be dismissed for being judicial in nature.⁶

In recommending the dismissal of the complaint, AED Navarrete found that complainant was not able to exhaust all available judicial remedies. AED Navarrete noted that there is nothing on record which would show that complainant appealed respondent's decision to the Court of Appeals (CA). Further, he opined that complainant's charge of gross ignorance of the law was unsupported by any showing that respondent's decision was motivated by bad faith, dishonesty, hatred, or some other like motive. Even assuming that its argument about the constitutional ban on foreign ownership of lands applies to Huang Hsiang, AED Navarrete opined that the case against complainant concerns only the issue of possession, not ownership.⁷

Report of the JIB

In its Report⁸ dated 18 November 2022, the JIB found the report and recommendation of its Executive Director to be anchored on case law and the facts on record. It cited the case of *Alal v. Peras*,⁹ which is a reiteration of the Court's decision in *Humol v. Clapis, Jr.*,¹⁰ where it was held thus:

"Time and again, this Court has ruled that the filing of an administrative complaint against a judge is not an alternative to other

⁴ Id. at 105-107.

⁵ Id. at 108-110.

⁶ Id.

⁷ Id.

⁸ Id. at 111-122; Penned by Chairperson Justice Romeo J. Callejo, Sr (Ret.), and concurred in by Vice-chairperson Justice Angelina Sandoval-Gutierrez (Ret.) First Regular Member Justice Sesinando E. Villon (Ret), Second Regular Member Justice Rodolfo A. Ponferrada (Ret.) and Third Regular Member Justice Cielito N. Mindaro-Grulla. (Ret.).

⁹ A.M. No. RTJ-11-2283, 676 Phil 192, 212-213 (2011).

¹⁰ *Humol v. Clapis, Jr.*, 670 Phil. 36 (2011).

judicial remedies or complementary or supplementary to such actions. It is not a means by which the correctness of a decision by the trial court can be challenged. The law provides sufficient judicial remedies against error or irregularities committed by a judge. Ordinary remedies include a motion for reconsideration or an appeal, while extraordinary remedies can be the special civil actions of *certiorari*, prohibition or *mandamus*, a motion for inhibition, or a petition for change of venue, if applicable.”¹¹

Issue

The issue for the Court’s resolution is whether respondent should be held administratively liable.

Ruling of the Court

We agree with the JIB’s findings and recommendation that the administrative complaint against respondent should be dismissed for lack of merit.

Settled is the rule that errors committed by a judge in the exercise of their adjudicative functions cannot be corrected through administrative proceedings, but should instead be assailed through available judicial remedies.¹² In the same vein, judges cannot be civilly, criminally, or administratively liable for their official acts, no matter how erroneous, provided they act in good faith.¹³

Complainant wrongly filed the present administrative case against respondent. The inquiry as to the soundness of respondent’s decision granting Huang Hsiang’s appeal and the denial of complainant’s motion for reconsideration pertains to the exercise of respondent’s adjudicative functions, hence, judicial in nature. Complainant should have first exhausted appropriate judicial remedies instead of immediately resorting to administrative proceedings.

To emphasize, an administrative complaint is not an appropriate remedy where judicial recourse is still available, such as a motion for reconsideration, an appeal, or a petition for *certiorari*, unless the assailed

¹¹ Id. at 48-49.

¹² See *Baysa v. Santos*, G.R. No. 254328, 02 December 2021, citing *Atty. Tamondong v. Judge Pasal*, 820 Phil. 220, 231 (2017).

¹³ Id..

order or decision is tainted with fraud, malice, or dishonesty.¹⁴ Complainant herein filed the instant administrative complaint instead of questioning the decision before the CA.¹⁵ As the Court pronounced in *Tallado v. Judge Racoma*,¹⁶ thus:

“[T]o safeguard against the abuse of the administrative disciplinary mechanism against justices, judges, and court personnel, the JIB must be guided by the following rules in evaluating administrative disciplinary cases:

(1) If a judicial remedy is still available to the complainant, the administrative complaint shall be dismissed outright, without prejudice to re-filing should the complainant succeed in a judicial action in proving that the public respondent’s assailed act or omission was indeed wrong and ill motivated.

(2) If the administrative case is meant to harass, threaten or merely vex the public respondent. In determining this, the following factors may be considered:

- (a) the existence of other cases filed against the public respondent by the same complainant or related complainants;
- (b) the position and influence of the complainant, particularly in the locality where the public respondent is stationed;
- (c) the number of times that the public respondent has been charged administratively and the corresponding dispositions in these cases;
- (d) any decisions or judicial actions previously rendered by the public respondent for or against the complainant;
- (e) the propensity of the complainant for filing administrative cases against members and personnel of the Judiciary; and
- (f) any other factor indicative of improper pressure or influence.” (Emphasis supplied.)

The JIB aptly recommended the dismissal of the complaint after finding that a judicial remedy is still available to complainant. Moreover, even granting that the decision and subsequent orders of respondent were erroneous, complainant failed to establish that respondent acted with bad faith, fraud, malice, corrupt purpose or with deliberate intent to do an injustice in the issuance thereof.

¹⁴ *Fernandez v. Court of Appeals Justices*, 704 Phil 175, 204 (2013), citing *Cortes v. Sandiganbayan*, 467 Phil. 155, 162-163 (2004)

¹⁵ *Rollo*, p. 119.

¹⁶ A.M. No. RTJ-22-022, 23 August 2022.

WHEREFORE, the Court **RESOLVES to ADOPT and APPROVE** the findings of fact, conclusions of law, and recommendation of the Judicial Integrity Board in the attached Report dated 18 November 2022. Accordingly, the complaint against respondent Hon. Marivic T. Balisi-Umali, Presiding Judge, Branch 20, Regional Trial Court, Manila is **DISMISSED**.

SO ORDERED.”

By authority of the Court:



MARIA TERESA B. SIBULO
Division Clerk of Court ^{SMT}

302

DEC 19 2023

Mechel Contractors Overseas Ltd. Corporation
Represented by Mr. Delmundo Dablo
Complainant
No. 23A Sto. Niño Street, Group 7
Payatas, 1119 Quezon City
- and/or -
No. 195C F. Benitez Street
Brgy. Pasadena, 1500 San Juan City

Hon. Marivic T. Balisi-Umali
Respondent - Presiding Judge
Regional Trial Court, Branch 20
1000 Manila

Hon. Angelina Sandoval-Gutierrez (x)
Hon. Rodolfo A. Pongerrada (x)
Hon. Cielito N. Mindaro-Grulla (x)
Office of the Executive Director (x)
Office of the General Counsel (x)
Atty. James D.V. Navarrete (x)
Deputy Clerk of Court-at-Large
Judicial Integrity Board
Supreme Court

Hon. Raul B. Villanueva (x)
Court Administrator
Hon. Jenny Lind R. Aldecoa-Delorino (x)
Hon. Leo Tolentino Madrazo (x)
Deputy Court Administrators
Hon. Lilian Barribal-Co (x)
Hon. Maria Regioa A. F. M. Ignacio (x)
Assistant Court Administrators
OCA, Supreme Court

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

UR

