



REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila

SECOND DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **February 8, 2023** which reads as follows:*

“G.R. No. 262069 (TETRO ENTERPRISES, INC., Petitioner, v. REGIONAL DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS, Respondent). — This Court resolves a Petition for Review on *Certiorari*¹ assailing the Court of Appeals’ (CA) Decision² dated November 16, 2021 and Resolution³ dated June 7, 2022 in CA-G.R. CV No. 111730, which affirmed with modifications the Decision⁴ dated February 5, 2018, and the Resolution⁵ dated July 2, 2018 of the Regional Trial Court (RTC), Branch 46, San Fernando City, Pampanga in Civil Case No. 9179.

Considering the allegations, issues, and arguments adduced in the Petition, the Court finds no cogent reason to deviate from the CA’s findings that petitioner Tetro Enterprises, Inc., is entitled to the award of exemplary damages and attorney’s fees in addition to the just compensation previously awarded by the CA. However, a legal interest of 6% per annum on the monetary awards must be imposed, consistent with prevailing jurisprudence.⁶

¹ *Rollo*, pp. 12–55.

² *Id.* at 57–70. Penned by Associate Justice Perpetua Susana T. Atal-Paño with the concurrence of Associate Justices Edwin D. Sorongon and Bonifacio S. Pascua.

³ *Id.* at 72–73.

⁴ *Id.* at 90–100. Penned by Presiding Judge Mary Anne P. Padron-Rivera.

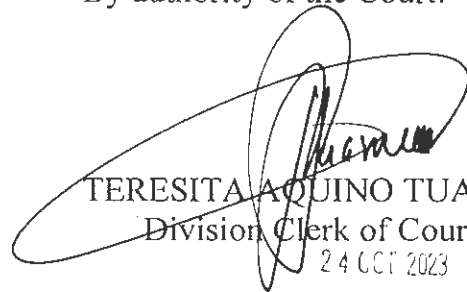
⁵ *Id.* at 120–123.

⁶ *Nacar v. Gallery Frames*, 716 Phil. 267 (2013) [Per J. Peralta. *En Banc*].

FOR THIS REASON, the Petition is **DENIED**. The Court of Appeals' Decision dated November 16, 2021 and Resolution dated June 7, 2022 in CA-G.R. CV No. 111730, are **AFFIRMED with MODIFICATION** in that a legal interest of 6% per annum is imposed on the monetary awards from the date of finality of this Resolution until complete payment.

SO ORDERED." (Lazaro-Javier J. no part, Gaerlan J. designated as additional member)

By authority of the Court:


TERESITA AQUINO TUAZON
Division Clerk of Court *10/24*
24 OCT 2023

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Supreme Court, Manila

HON. PRESIDING JUDGE (reg)
Regional Trial Court, Branch 46
San Fernando City, Pampanga
(Civil Case No. 9179)

COURT OF APPEALS (x)
Ma. Orosa Street
Ermita, 1000 Manila
CA-G.R. CV No. 111730

JUDGMENT DIVISION (x)
Supreme Court, Manila

*with a copy of the CA Decision dated November 16, 2021
Please notify the Court of any change in your address.
GR262069. 2/08/2023(187)URES