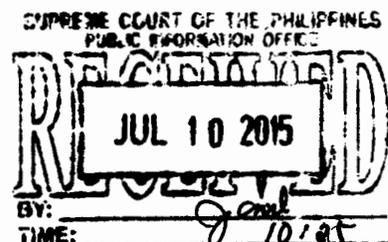




Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE



Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **June 15, 2015** which reads as follows:*

“G.R. No. 202594 (Spouses Mauro L. Ruma and Carolina C. Ruma, substituted by Pericles, Nestor, Oscar, Mauro, Jr., and Edwin, all surnamed “Ruma,” and Vivian R. Gaffud v. Spouses Andres B. Ruma, Jr. and Felecitas* L. Ruma). - After a judicious review of the records, the Court resolves to **DENY** the instant petition and **AFFIRM** the January 31, 2012 Decision¹ and June 29, 2012 Resolution² of the Court of Appeals (CA) in CA-G.R. CV No. 92482 for failure of petitioners Spouses Mauro L. Ruma and Carolina C. Ruma, substituted by Pericles, Nestor, Oscar, Mauro, Jr., and Edwin, all surnamed “Ruma,” and Vivian R. Gaffud (petitioners) to show that the CA committed any reversible error in finding that they failed to establish their title over Lot 10 of Lot 4373 and that respondents encroached thereon.

As correctly ruled by the CA, petitioners’ remedy of quieting of title cannot prosper since they failed to prove their title over the subject property. Case law states that in order that an action for quieting of title may prosper, it is essential that the plaintiff must have legal or equitable title to, or interest in, the property which is the subject-matter of the action.³ Besides, the issues raised by petitioners are essentially factual

- over - two (2) pages

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* “Felicitas” in some parts of the *rollo*.

¹ *Rollo*, pp. 23-39. Penned by Associate Justice Michael P. Elbinias with Associate Justices Japar B. Dimaampao and Samuel H. Gaerlan concurring.

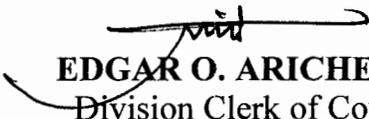
² *Id.* at 41-42.

³ See *Mananquil v. Moico*, G.R. No. 180076, November 21, 2012, 686 SCRA 123, 129-130.

matters, the determination of which is best left to the courts below. Well-settled is the rule that the Court is not a trier of facts. Factual findings of the lower courts are entitled to great weight and respect on appeal, and in fact accorded finality when supported by substantial evidence on the record,⁴ as in this case.

SO ORDERED.”

Very truly yours,


EDGAR O. ARICHETA
Division Clerk of Court *pk 713*
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(CA-G.R. CV No. 92482)

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⁴ *Sps. Bernales v. Heirs of Julian Sambaan*, 624 Phil. 88, 97 (2010); citation omitted.