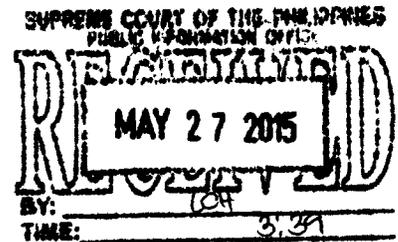




Republic of the Philippines
Supreme Court
Baguio City
FIRST DIVISION
NOTICE



Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated April 20, 2015 which reads as follows:

“G.R. No. 216720 (Spouses Marciano Cubangbang and Remegia Lising v. Augusto N. Conde). - After a judicious review of the records, the Court resolves to **DENY** the instant petition and **AFFIRM** the January 30, 2015 Decision¹ of the Court of Appeals (CA) in CA-G.R. CV No. 100513 for failure of Spouses Marciano Cubangbang and Remegia Lising (petitioners-spouses) to show that the CA committed any reversible error in ruling that there exists a lessor-lessee relationship between them and Augusto N. Conde (respondent); and thus, they cannot claim a better title than respondent over the subject land. As such, they must reconvey the same to the latter.

As correctly ruled by the CA, as mere lessees of the subject land, petitioners-spouses are estopped from claiming ownership over the same against respondent. It is settled that the juridical relationship between a lessor and a lessee carries with it the recognition of the lessor’s title. The lessee is estopped from denying the landlord’s title, or to assert a better title not only for himself, but also for some other third person while he remains in possession of the subject land and until he surrenders possession to the landlord. This estoppel applies even though the lessor had no title at the time the relation of the lessor and the lessee was created, and may be asserted not only by the original lessor, but also by those who succeed to

- over - two (2) pages

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¹ Rollo, pp. 12-26. Penned by Associate Justice Apolinario D. Bruselas, Jr. with Associate Justices Danton Q. Bueser and Maria Elisa Sempio Diy, concurring.

his title. Verily, once a contract of lease is shown to exist between the parties, the lessee cannot by any proof, however strong, overturn the conclusive presumption that the lessor has a valid title or a better right of possession to the subject premises than the lessee.²

The Court of Appeals is hereby **DELETED** as party respondent in the case pursuant to Sec. 4, Rule 45, 1997 Rules of Civil Procedure, as amended.

SO ORDERED.”

Very truly yours,


EDGAR O. ARICHETA
Division Clerk of Court *ms/s*
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Manila
(CA-G.R. CV No. 100513)

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The Hon. Presiding Judge
Regional Trial Court, Br. 74
1870 Antipolo City
(Civil Case No. 05-7745)

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Judgment Division (x)
Supreme Court

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² See *Samelo v. Manotok Services, Inc.*, G.R. No. 170509, June 27, 2012, 675 SCRA 132, 142.