



Republic of the Philippines  
Supreme Court  
Manila

FIRST DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated January 19, 2021 which reads as follows:*

**“G.R. No. 253862 (*Sugar Regulatory Administration v. Central Azucarera De Bais, Inc. and Central Azucarera De San Antonio, Inc.*). – The petitioner’s motion for an extension of twenty (20) days within which to file a petition for review on certiorari is **GRANTED**, counted from the expiration of the reglementary period.**

After a judicious study of the case, the Court resolves to deny the instant Petition for Review on *Certiorari*<sup>1</sup> under Rule 45 of the Rules of Court for failure to sufficiently show that the Court of Appeals (CA) committed any reversible error in the assailed Resolutions as to warrant the exercise of the Court’s appellate jurisdiction.

The Regional Trial Court (RTC) correctly denied the motion to dismiss of petitioner Sugar Regulatory Administration (SRA). At the outset, it must be pointed out that when SRA filed its Answer dated July 16, 2018 on July 25, 2018, it could have raised as its defense the expiration of Order No. 9 since it expired on July 6, 2018, yet it did not.<sup>2</sup>

Moreover, while the cause of action for injunctive relief of respondents Central Azucarera De Bais, Inc. and Central Azucarera De San Antonio, Inc. (collectively, respondents) became moot and academic upon the expiration of the period of implementation of Order No. 9 of SRA, their claim for damages remains unresolved.

In *Ilusorio v. Baguio Country Club Corp.*,<sup>3</sup> the Court held that

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<sup>1</sup> *Rollo*, pp. 11-31.

<sup>2</sup> *Id.* at 44-45.

<sup>3</sup> 738 Phil. 135, 140 (2014).

the complaint should not have been dismissed and should have proceeded to trial in order to determine the propriety of the remaining claims despite the declaration that the action for mandamus and injunction became moot. While the prayer for mandamus and injunction became of no practical or legal effect, the complainant also sought to be indemnified actual, moral and exemplary damages because her proprietary right was allegedly violated.<sup>4</sup> In ruling that the claim for damages remains despite the action for mandamus and injunction being moot, the Court highlighted the case of *Garayblas v. Atienza, Jr.*,<sup>5</sup> where it was ruled:

x x x [T]hat an issue becomes moot and academic when it ceases to present a justiciable controversy so that a declaration on the issue would be of no practical use or value. In such cases, there is no actual substantial relief to which the plaintiff would be entitled to and which would be negated by the dismissal of the complaint. However, a case should not be dismissed simply because one of the issues raised therein had become moot and academic by the onset of a supervening event, whether intended or incidental, if there are other causes which need to be resolved after trial. When a case is dismissed without the other substantive issues in the case having been resolved would be tantamount to a denial of the right of the plaintiff to due process.<sup>6</sup> (Underscoring supplied)

Therefore, the claim for damages sought by respondents against SRA should be taken up during the trial on the merits where the allegations of the parties may properly be addressed. Accordingly, a remand of this case for that purpose is necessary.

Lastly, We cannot simply uphold the claim of SRA that the cause of action for damages is limited only to the individual defendants in the complaint: Segfredo R. Serrano, Hermenegildo R. Serafica, Roland B. Beltran, and Emilio Bernardino L. Yulo. It must be emphasized that both the RTC and the CA consistently determined that respondents' claim for damages is also against SRA. If it were really true that the cause of action for damages is applicable only to the individual defendants, SRA should have attached or reproduced in its petition the complaint itself or the pertinent portion substantiating

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<sup>4</sup> Id.

<sup>5</sup> 525 Phil. 291, 305-306 (2006).

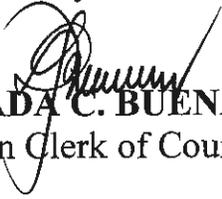
<sup>6</sup> Id.

its claim. Here, SRA failed to provide any proof in its petition to support this claim.

**WHEREFORE**, the petition is **DENIED**. The instant case is hereby **REMANDED** to the trial court for further proceedings.

**SO ORDERED.**” **GAERLAN, J.**, took no part; **INTING, J.**, designated additional Member per Raffle dated January 18, 2021.

**By authority of the Court:**

  
**LIBRADA C. BUENA**  
Division Clerk of Court msjlr

by:

**MARIA TERESA B. SIBULO**  
Deputy Division Clerk of Court  
**125-A**

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The Presiding Judge  
Regional Trial Court, Branch 137  
1200 Makati City  
(Civil Case No. R-MKT-18-02013-CV)

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