



Republic of the Philippines
Supreme Court
Manila

EN BANC

PHILIPPINE SAVINGS BANK (PSBANK) and PASCUAL M. GARCIA III, as representative of Philippine Savings Bank and in his personal capacity,

G.R. No. 200238

Petitioners,

- versus -

SENATE IMPEACHMENT COURT, consisting of the senators of the republic of the philippines acting as senator judges, namely: JUAN PONCE ENRILE, JINGGOY EJERCITO ESTRADA, VICENTE C. SOTTO III, ALAN PETER S. CAYETANO, EDGARDO J. ANGARA, JOKER P. ARROYO, PIA S. CAYETANO, FRANKLIN M. DRILON, FRANCIS G. ESCUDERO, TEOFISTO GUINGONA III, GREGORIO B. HONASAN II, PANFILO M. LACSON, MANUEL M. LAPID, LOREN B. LEGARDA, FERDINAND R. MARCOS, JR., SERGIO R. OSMENA III, FRANCIS “KIKO” PANGILINAN, AQUILINO PIMENTEL III, RALPH G. RECTO, RAMON REVILLA,

Present:
SERENO, *CJ.*,
CARPIO,
VELASCO, JR.,^{*}
LEONARDO-DE CASTRO,
BRION,
PERALTA,^{*}
BERSAMIN,
DEL CASTILLO,
ABAD,
VILLARAMA, JR.,
PEREZ,
MENDOZA,
REYES,^{*} and
PERLAS-BERNABE, *JJ.*

^{*} On official leave.

**JR., ANTONIO F. TRILLANES
IV, MANNY VILLAR; and THE
HONORABLE MEMBERS OF
THE PROSECUTION PANEL
OF THE HOUSE OF
REPRESENTATIVES,**

Respondents. Promulgated:

NOVEMBER 20, 2012



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RESOLUTION

PERLAS-BERNABE, J.:

Petitioners Philippine Savings Bank (PSBank) and Pascual M. Garcia III, as President of PSBank, filed a Petition for *Certiorari* and Prohibition seeking to nullify and set aside the Resolution¹ of respondent Senate of the Republic of the Philippines, sitting as an Impeachment Court, which granted the prosecution's requests for subpoena *duces tecum ad testificandum*² to PSBank and/or its representatives requiring them to testify and produce before the Impeachment Court documents relative to the foreign currency accounts that were alleged to belong to then Supreme Court Chief Justice Renato C. Corona.

¹ Annex "A" of the Petition. *Rollo*, pp. 38-39.

² Case No. 002-2011 entitled, "*In the Matter of the Impeachment of Renato C. Corona as Chief Justice of the Supreme Court, Representatives Niel C. Tupas, et. al., other complainants comprising one third (1/3) of the total Members of the House of Representative, complainants.*"

On November 5, 2012, and during the pendency of this petition, petitioners filed a Motion with Leave of Court to Withdraw the Petition³ averring that subsequent events have overtaken the petition and that, with the termination of the impeachment proceedings against former Chief Justice Corona, they are no longer faced with the dilemma of either violating Republic Act No. 6426 (RA 6426) or being held in contempt of court for refusing to disclose the details of the subject foreign currency deposits.

It is well-settled that courts will not determine questions that have become moot and academic because there is no longer any justiciable controversy to speak of. The judgment will not serve any useful purpose or have any practical legal effect because, in the nature of things, it cannot be enforced.⁴ In *Gancho-on v. Secretary of Labor and Employment*,⁵ the Court ruled:

It is a rule of universal application that courts of justice constituted to pass upon substantial rights will not consider questions in which no actual interests are involved; they decline jurisdiction of moot cases. And where the issue has become moot and academic, there is no justiciable controversy, so that a declaration thereon would be of no practical use or value. There is no actual substantial relief to which petitioners would be entitled and which would be negated by the dismissal of the petition. (Citations omitted)

Indeed, the main issue of whether the Impeachment Court acted arbitrarily when it issued the assailed subpoena to obtain information concerning the subject foreign currency deposits notwithstanding the confidentiality of such deposits under RA 6426 has been overtaken by events. The supervening conviction of Chief Justice Corona on May 29, 2012, as well as his execution of a waiver against the confidentiality of all

³ *Rollo*, pp. 356-361.

⁴ *Sales v. Commission on Elections*, G.R. No. 174668, September 12, 2007, 533 SCRA 173, 176-177.


⁵ 337 Phil. 654, 658 (1997).

his bank accounts, whether in peso or foreign currency, has rendered the present petition moot and academic.

On the basis of the foregoing, the Court finds it appropriate to abstain from passing upon the merits of this case where legal relief is no longer needed nor called for.

WHEREFORE, the petition is **DISMISSED** for having become moot and academic and the temporary restraining order issued by the Court on February 9, 2012 is **LIFTED**.

SO ORDERED.



ESTELA M. PERLAS-BERNABE
Associate Justice

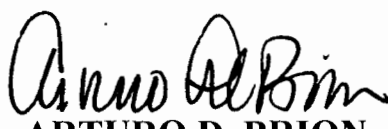
WE CONCUR:


MARIA LOURDES P. A. SERENO
Chief Justice

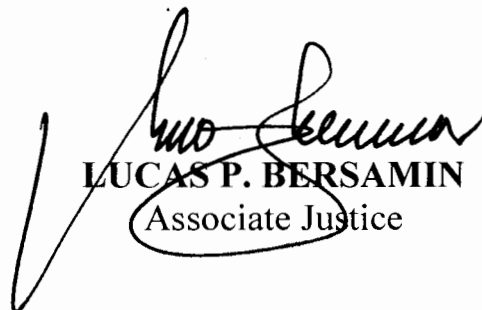

ANTONIO T. CARPIO
Associate Justice

On official leave
PRESBITERO J. VELASCO, JR.
Associate Justice


TERESITA J. LEONARDO-DE CASTRO
Associate Justice


ARTURO D. BRION
Associate Justice


On official leave
DIOSDADO M. PERALTA
Associate Justice



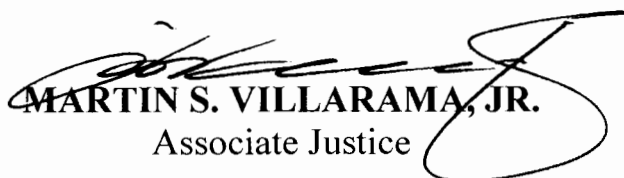
LUCAS P. BERSAMIN
Associate Justice



MARIANO C. DEL CASTILLO
Associate Justice



ROBERTO A. ABAD
Associate Justice



MARTIN S. VILLARAMA, JR.
Associate Justice



JOSE PORTUGAL PEREZ
Associate Justice

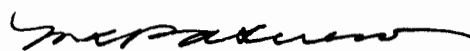


JOSE CATRAL MENDOZA
Associate Justice

On official leave
BIENVENIDO L. REYES
Associate Justice

CERTIFICATION

I certify that the conclusions in the above Resolution had been reached in consultation before the case was assigned to the writer of the opinion of the Court.



MARIA LOURDES P. A. SERENO
Chief Justice