



Republic of the Philippines
Supreme Court
 Manila

FIRST DIVISION

**ROBERT DA JOSE and
 FRANCISCO OCAMPO y
 ANGELES,**
 Petitioners,

G.R. No. 187899

Present:

SERENO, C.J.,
Chairperson,
 LEONARDO-DE CASTRO,
 BERSAMIN,
 VILLARAMA, JR., and
 REYES, JJ.

- versus -

**CELERINA R. ANGELES,
 EDWARD ANGELO R. ANGELES
 and CELINE ANGELI R.
 ANGELES,**
 Respondents.

Promulgated:

OCT 23 2013

x-----x

DECISION

VILLARAMA, JR., J.:

Before this Court is a petition¹ for review on certiorari under Rule 45 of the 1997 Rules of Civil Procedure, as amended, seeking the reversal of the Decision² dated August 29, 2008 of the Court of Appeals (CA) in CA-G.R. CV No. 83309, which affirmed with modification the Decision³ dated April 12, 2004 of the Regional Trial Court (RTC), Branch 9, of Malolos, Bulacan, in Civil Case No. 46-M-2002.

The facts are uncontroverted.

On December 1, 2001, at about 9:00 p.m., a vehicular collision took place along the stretch of the Doña Remedios Trinidad Highway in Brgy. Taal, Pulilan, Bulacan involving a Mitsubishi Lancer model 1997 with Plate No. ULA-679 registered under the name of, and at that time driven by the late Eduardo Tuazon Angeles⁴ (Eduardo), husband of respondent Celerina

¹ *Rollo*, pp. 13-34.

² *Id.* at 37-58. Penned by Associate Justice Regalado E. Maambong with Associate Justices Monina Arevalo-Zenarosa and Myrna Dimaranan Vidal concurring.

³ *Records*, pp. 386-398. Penned by Judge D. Roy A. Masadao, Jr.

⁴ *Id.* at 229.

Rivera-Angeles⁵(Celerina) and father of respondentsEdward Angelo R. Angeles⁶(Edward) and Celine Angeli R. Angeles⁷ (Celine), and a Nissan Patrol Turbo Intercooler model 2001 with Plate No. RDJ-444 registered under the name of petitioner Robert Da Jose⁸(Robert) and at that time driven by petitioner Francisco Ocampoy Angeles⁹ (Francisco).Eduardowas rushed by unidentified persons to the F.M. Cruz Orthopedic and General Hospital in Pulilan, Bulacan. Despite treatment at said hospital, Eduardodied on the same day due to Hemorrhagic Shock as a result of Blunt Traumatic Injury.¹⁰

A criminal complaint for Reckless Imprudence Resulting inHomicide and Damage to Property was filed onDecember 3, 2001 against Francisco before the MunicipalTrial Court (MTC) of Pulilan, Bulacan (Criminal CaseNo. 01-8154.¹¹In a Decision¹² dated December 22, 2008, the MTC declared Francisco guilty beyond reasonable doubt of the crime charged.

During the pendency of the criminal case, respondents' counsel sentpetitioners via registered mail a demand-letter¹³ dated December 15, 2001 for the payment (within 5 days from receipt of the letter) of the amount of₱5,000,000 representing damages and attorney's fees.Failing to reach any settlement, respondents subsequently filed a Complaint¹⁴ for Damages based on tort against Robert and Francisco before the RTC on January 16, 2002.A pre-trial conference was held on May 6, 2002.¹⁵Trial on the merits ensued.

Police Officer 3 Jaime R. Alfonso (PO3 Alfonso), an investigator of the Philippine National Police (PNP) Pulilan Station, Bulacan, testified that after receiving a telephone call on December 1, 2001 regarding a vehicular accident, he immediately went to the place of the incident. Upon reaching the area at 9:30 p.m., PO3 Alfonso took photographs¹⁶ of the two vehicleswhich were both heavily damaged.He also prepared a rough sketch¹⁷ of the scene of the accident which showed that the Mitsubishi Lancer was at the time travelling towards the south, while the Nissan Patrol was bound for Isabela in the opposite direction; and that the debris denoting the point of impact lay on the proper lane of the Mitsubishi Lancer.PO3 Alfonso also submitteda Police Report¹⁸dated December 10, 2001 which indicated that the Nissan Patrol encroached on the proper lane of the Mitsubishi Lancer which caused the collision and ultimately the death of Eduardo.¹⁹PO3 Alfonso opined that the Nissan

⁵ Id. at 237.

⁶ Id. at 238.

⁷ Id. at 239.

⁸ Id. at 228.

⁹ TSN, May 14, 2003, pp. 4-6.

¹⁰ Records, pp. 231, 235.

¹¹ Id. at 240.

¹² *Rollo*, pp. 79-88. Penned by Presiding Judge Sita Jose-Clemente.

¹³ Records, pp. 188-189.

¹⁴ Id. at 1-10.

¹⁵ TSN, May 6, 2002, pp. 1-16.

¹⁶ Records, pp. 243-245.

¹⁷ Id. at 242.

¹⁸ Id. at 241.

¹⁹ Id. The Police Report pertinently stated that

Patrol was travelling too fast which explains why it had to traverse 100 meters from the point of impact to where it finally stopped.²⁰

Celerina testified on the various damages and attorney's fees prayed for in their complaint. She and Eduardo begot two children: Edward who was born on August 20, 1985 and Celine who was born on June 22, 1987. Celerina testified that she loved Eduardo so much that when he died, it was as if she also died. She also testified that their two children, who were very close to their father, were shocked by the tragedy that befell him. Celerina claimed, among others, that prior to his death, Eduardo at age 51, was physically fit and even played golf 2 to 3 times a week. A businessman during his lifetime, Celerina attested that Eduardo was earning a yearly gross income of over ₱1,000,000. She also testified that at the time of his death, Eduardo was the President of Jhamec Construction Corp., a family enterprise, from which he derived an annual salary of more or less ₱300,000; Vice-President of Classic Personnel, Inc. from which he received a regular annual allowance of ₱250,000 to ₱300,000; and part owner of Glennis Laundry Haus per Joint Affidavit²¹ dated December 28, 1999 executed by Eduardo and his partner, one Glennis S. Gonzales. Celerina also claimed that the expenses for the medical attendance extended to Eduardo by the F.M. Cruz Orthopedic and General Hospital amounted to ₱4,830 per the corresponding Statement of Account.²² She pegged the expenses incurred during the 4-day wake and subsequent burial of Eduardo at ₱150,000. In her assessment, Eduardo's unrealized income due to his untimely demise is about ₱98,000 a month and that the extensively damaged Mitsubishi Lancer was valued at more or less ₱700,000. Lastly, Celerina averred that for the services of counsel, she paid ₱100,000 as acceptance fee and ₱3,000 per court hearing.²³

Celine, then 15 years old, testified on the affection she and her late father had for each other and the grief she suffered due to the latter's untimely demise. Eduardo was a doting father and a good provider.²⁴ To prove that Eduardo was gainfully employed at the time, Celine identified cash vouchers which indicated that Eduardo received representation and transportation allowances in the amount of ₱20,000 per month from Glennis Laundry Haus,²⁵ Classic Personnel, Inc.²⁶ and Jhamec Construction Corp.²⁷ Cash vouchers were also presented showing that Eduardo received, among others, a

... at pagdating sa nasabing lugar ay sinakop ng Nissan Patrol ang lugar ng kalsada na tinatakbuhan ng Mitsubishi Lancer na naging dahilan upang magkabunggo ang dalawang harapan ng behickulo (sic). Namatay ang driver ng Mitsubishi Lancer matapos madala sa FM Cruz Hospital samantalang walang nasaktan sa Nissan Patrol....

²⁰ TSN, July 3, 2002, pp. 7-24.

²¹ Records, p. 190.

²² Id. at 186.

²³ *Rollo*, pp. 62-64; TSN, August 19, 2002, pp. 6-12; TSN, October 18, 2002, pp. 8-10.

²⁴ TSN, November 13, 2002, pp. 2-5.

²⁵ Records, pp. 261-266.

²⁶ Id. at 279-284.

²⁷ Id. at 285-290.

fixed monthly salary in the amount of ₱20,000 from Glennis Laundry Haus for the period of January to November of 2001.²⁸

On the other hand, Francisco testified that he was employed as a driver by Robert. He narrated that on the night of December 1, 2001, he was driving Robert's Nissan Patrol on their way home to Santiago City, Isabela after his companions purchased certain merchandise at Divisoria, Manila. Francisco was with Robert's wife who happens to be his cousin, the latter's daughter, the sibling of Robert's wife, and one helper. He claimed that while they were travelling along the Doña Remedios Trinidad Highway, he tried to overtake a truck. However, he failed to see the Mitsubishi Lancer coming from the opposite direction as its headlights were not on. After the collision, the airbags of the Nissan Patrol deployed. Confronted with the Police Report, Francisco said that the same is correct except for the statement therein that the Nissan Patrol encroached on the lane of the Mitsubishi Lancer and the lacking information about the Mitsubishi Lancer's headlights being off at the time of the incident. He also insisted that the Nissan Patrol was already in its proper lane when the collision occurred.²⁹

For his part, Robert admitted that he is the registered owner of the Nissan Patrol which was being driven by Francisco at the time of the collision. He testified that he engaged the services of Francisco as family driver not only because the latter is his wife's cousin but also because Francisco was a very careful driver. In open court, Robert intimated his desire to have the matter settled and manifested his intention to pay the respondents because he felt that indeed they are entitled to a compensation as a result of the incident.³⁰

By stipulation of the parties' respective counsels, the corroborative testimonies of Robert's wife and the helper who were also aboard the Nissan Patrol at the time of the accident were dispensed with.³¹

On April 12, 2004, the RTC rendered the assailed Decision holding that "*it was recklessness or lack of due care on the part of defendant Ocampo while operating the Nissan Patrol [that] was the proximate cause of the vehicular collision which directly resulted in the death of Eduardo T. Angeles very soon thereafter.*"³² Thus, the RTC disposed of the case as follows:

WHEREFORE, on the basis of the evidence on record and the laws/jurisprudence applicable thereto, judgment is hereby rendered ordering defendants Robert Da Jose and Francisco Ocampo y Angeles to solidarily pay plaintiffs Celerina Rivera-Angeles, Edward Angelo R. Angeles and Celine Angeli R. Angeles the following amounts:

- 1) ₱50,000.00 for the fact of death of the late Eduardo T. Angeles;

²⁸ Id. at 267-278.

²⁹ TSN, May 14, 2003, pp. 3-13, 36-37.

³⁰ TSN, November 10, 2003, pp. 2-18.

³¹ Records, p. 392.

³² Id. Italics supplied.

- 2) P500,000.00 as moral damages;
- 3) P50,000.00 as exemplary damages;
- 4) P4,830.00 for the hospitalization and P50,000.00 for the burial expenses of the aforementioned deceased; and
- 5) P50,000.00 as attorney's fees, plus the costs of suit.

SO ORDERED.³³

Dissatisfied, both parties sought recourse from the CA.³⁴ On August 29, 2008, the CA in its assailed Decision affirmed with modification the RTC's findings and ruling. The dispositive portion of the CA Decision reads:

WHEREFORE, premises considered, the appeal of both parties are **PARTLY GRANTED**. The April 12, 2004 Decision of the Regional Trial Court, Branch 9 of Malolos, Bulacan in Civil Case No. 46-M-2002 is **AFFIRMED** with **MODIFICATIONS** as to the following amounts of damages, to wit:

1. The P500,000.00 award of moral damages is reduced to P50,000.00;
2. The award of P50,000.00 as exemplary damages is further reduced to P25,000.00; [and]
3. P2,316,000.00 is awarded for lost earnings of the deceased Eduardo T. Angeles.

SO ORDERED.³⁵

The CA agreed with the RTC's findings that Francisco was clearly negligent in driving the Nissan Patrol and that such negligence caused the vehicular collision which resulted in the death of Eduardo. Like the RTC, the CA also dismissed Francisco's claim that the Mitsubishi Lancer's headlights were not on at the time of the incident and found that petitioners failed to adduce any evidence to the contrary that Eduardo was of good health and of sound mind at the time. The CA thus ruled that no contributory negligence could be imputed against Eduardo.

While sustaining the RTC's award of civil indemnity in the amount of ₱50,000; actual damages in the amount of ₱4,830 as hospitalization expenses and ₱50,000 as burial expenses; and attorney's fees and costs of the suit in the amount of ₱50,000, the CA reduced the awards for moral and exemplary damages in the amounts of ₱50,000 and ₱25,000 respectively, in line with prevailing jurisprudence. Moreover, the CA awarded respondents indemnity for Eduardo's loss of earning capacity based on the documentary and testimonial evidence they presented. Excluding the other cash vouchers, the CA took into consideration the ₱20,000 monthly salary Eduardo received from Glennis Laundry Haus in the computation thereof, finding that the said cash

³³ Id. at 397-398.

³⁴ Id. at 400-401.

³⁵ *Rollo*, pp. 56-57.

vouchers were typewritten and duly signed by employees who prepared, checked and approved them and that said business venture was validated by the aforementioned Joint Affidavit. Thus, the CA awarded the amount of ₱2,316,000 for loss of earning capacity in favor of respondents.

Petitioners filed their Motion for Reconsideration³⁶ but the CA denied it under Resolution³⁷ dated April 23, 2009.

Hence, this petition raising the following issues:

I.

Whether or not the award of P2,316,000.00 for lost earnings is supported by competent evidence[; and]

II.

Whether or not the Joint Affidavit dated December 28, 1999 (Exh. U), and purported Cash Vouchers of Glennis Laundry Haus (Exhibits W, W-1 to W-31) are hearsay evidence and as such, they are inadmissible and have no probative value to establish the lost earnings of the deceased.³⁸

Petitioners claim that the CA erred in admitting the Glennis Laundry Haus cash vouchers as evidence to prove loss of earnings as the said vouchers are purely hearsay evidence, hence, inadmissible and of no probative value. Petitioners argue that contrary to the findings of the CA that Celerina identified said vouchers, records show that it was Celine who actually identified them and that the latter acknowledged her non-participation in the preparation of the same. Absent Celine's personal knowledge as to the due execution, preparation and authenticity of the Glennis Laundry Haus cash vouchers and consistent with the CA's ruling in disregarding the cash vouchers of Classic Personnel, Inc. and the Jhamec Construction Corp. as evidence, the cash vouchers from Glennis Laundry Haus are considered hearsay evidence. Petitioners point out that respondents did not present any employee who had knowledge of the preparation and due execution of said vouchers. Neither did they present Glennis S. Gonzales who executed the Joint Affidavit together with Eduardo.³⁹

Petitioners rely on the ruling of the RTC which refused to render any award based on unrealized earnings because the alleged authors of said cash vouchers were not presented as witnesses in this case. They stress that whether objected to or not, the cash vouchers are hearsay evidence which possess no probative value. Since the Glennis Laundry Haus cash vouchers and the Joint Affidavit are inadmissible in evidence and without probative value, petitioners assert that there exists no competent evidence to

³⁶ CA *rollo*, pp. 173-183.

³⁷ *Rollo*, p. 60. Penned by Associate Justice Myrna Dimaranan Vidal with Associate Justices Monina Arevalo-Zenarosa and Arturo G. Tayag concurring.

³⁸ *Id.* at 23-24.

³⁹ *Id.* at 27-31.

support the award of lost earnings in the amount of ₱2,316,000, and consequently such award by the CA should be set aside.⁴⁰

Respondents counter that the questions raised by petitioners, specifically, the adequacy of the amount of damages awarded and the admissibility of evidence presented, are not questions of law, hence, not proper under a petition for review on certiorari under Rule 45. They argue that a court's appreciation of evidence is an exercise of its sound judicial discretion, the abuse of which is correctible by a special civil action for certiorari under Rule 65.

Respondents claim that petitioners changed the theory of their case before this Court, *i.e.*, from that of Eduardo being the negligent party and not Francisco to the propriety of the award of unrealized income, which is proscribed. They maintain that the CA's award for lost earnings in the amount of ₱2,316,000 is supported by competent evidence on record and is a finding entitled to great respect. The evidence adduced at the trial and reviewed on appeal by the CA passed the test of preponderance of evidence and the rules on admissibility of evidence. Respondents further argue that personal knowledge of a document does not require direct participation for it is enough that the witness can convince the court of her awareness of the document's genuineness, due execution and authenticity. Thus, if not admitted or admissible as documentary proof, the document can be admissible as object evidence. Respondents submit that the convergence of testimonial and documentary evidence in this case established a preponderance of evidence in favor of respondents.⁴¹

At the outset it must be stressed that absent any issue raised by petitioners as regards the negligence of Francisco and the corresponding liabilities of Francisco and Robert arising therefrom, this Court finds no cogent reason to disturb much less deviate from the uniform findings of the RTC and the CA that Francisco was negligent in driving the Nissan Patrol, and that such negligence caused the vehicular collision which resulted in the death of Eduardo.

The sole issue to be resolved is whether the CA erred in awarding the sum of ₱2,316,000 for loss of earning capacity.

The petition is meritorious.

On the propriety of the matters raised by petitioners in a petition for review on certiorari under Rule 45 of the 1997 Rules of Civil Procedure, as amended, our ruling in *Asian Terminals, Inc. v. Simon Enterprises, Inc.*⁴² is instructive, to wit:

⁴⁰ Id. at 131-140.

⁴¹ Id. at 167-178.

⁴² G.R. No. 177116, February 27, 2013, pp. 6-7.

A question of law exists when the doubt or controversy concerns the correct application of law or jurisprudence to a certain set of facts; or when the issue does not call for an examination of the probative value of the evidence presented, the truth or falsehood of facts being admitted. A question of fact exists when the doubt or difference arises as to the truth or falsehood of facts or when the query invites calibration of the whole evidence considering mainly the credibility of the witnesses, the existence and relevancy of specific surrounding circumstances as well as their relation to each other and to the whole, and the probability of the situation.

The well-entrenched rule in our jurisdiction is that only questions of law may be entertained by this Court in a petition for review on certiorari. This rule, however, is not ironclad and admits certain exceptions, such as when (1) the conclusion is grounded on speculations, surmises or conjectures; (2) the inference is manifestly mistaken, absurd or impossible; (3) there is grave abuse of discretion; (4) the judgment is based on a misapprehension of facts; (5) the findings of fact are conflicting; (6) there is no citation of specific evidence on which the factual findings are based; (7) the findings of absence of facts are contradicted by the presence of evidence on record; (8) **the findings of the Court of Appeals are contrary to those of the trial court;** (9) **the Court of Appeals manifestly overlooked certain relevant and undisputed facts that, if properly considered, would justify a different conclusion;** (10) the findings of the Court of Appeals are beyond the issues of the case; and (11) such findings are contrary to the admissions of both parties. (Emphasis supplied)

While indeed the petition raises a factual issue on the probative value of the cash vouchers submitted in support of the claim for lost earnings, the present case falls under two of the abovementioned exceptions because the findings of the CA conflict with the findings of the RTC and that the CA manifestly overlooked certain relevant and undisputed facts. Since petitioners raised these circumstances, it is but proper for this Court to resolve this case.⁴³

Under Article 2206⁴⁴ of the Civil Code, the heirs of the victim are entitled to indemnity for loss of earning capacity. Compensation of this nature is awarded not for loss of earnings, but for loss of capacity to earn money.⁴⁵ The indemnification for loss of earning capacity partakes of the nature of actual damages which must be duly proven⁴⁶ by competent proof

⁴³ See *Heirs of Jose Marcial K. Ochoa v. G & S Transport Corporation*, G.R. Nos. 170071 & 170125, March 9, 2011, 645 SCRA 93, 112-113.

⁴⁴ Article 2206 of the Civil Code pertinently provides:

Art. 2206. The amount of damages for death caused by a crime or quasi-delict shall be at least three thousand pesos, even though there may have been mitigating circumstances. In addition:

(1) The defendant shall be liable for the loss of the earning capacity of the deceased, and the indemnity shall be paid to the heirs of the latter; such indemnity shall in every case be assessed and awarded by the court, unless the deceased on account of permanent physical disability not caused by the defendant, had no earning capacity at the time of his death;

x x x x

⁴⁵ *Philippine Hawk Corporation v. Lee*, G.R. No. 166869, February 16, 2010, 612 SCRA 576, 591, citing *Heirs of George Y. Poe v. Malayan Insurance Company, Inc.*, G.R. No. 156302, April 7, 2009, 584 SCRA 152, 178.

⁴⁶ *People v. Bernabe*, G.R. No. 185726, October 16, 2009, 604 SCRA 216, 239.

and the best obtainable evidence thereof.⁴⁷ Thus, as a rule, documentary evidence should be presented to substantiate the claim for damages for loss of earning capacity. By way of exception, damages for loss of earning capacity may be awarded despite the absence of documentary evidence when (1) the deceased is self-employed and earning less than the minimum wage under current labor laws, in which case, judicial notice may be taken of the fact that in the deceased's line of work no documentary evidence is available; or (2) the deceased is employed as a daily wage worker earning less than the minimum wage under current labor laws.⁴⁸

Based on the foregoing and in line with respondents' claim that Eduardo during his lifetime earned more or less an annual income of ₱1,000,000, the case falls under the purview of the general rule rather than the exceptions.

Now, while it is true that respondents submitted cash vouchers to prove Eduardo's income, it is lamentable as duly observed by the RTC that the officers and/or employees who prepared, checked or approved the same were not presented on the witness stand. The CA itself in its assailed Decision disregarded the cash vouchers from Classic Personnel, Inc. and the Jhamec Construction Corp. due to lack of proper identification and authentication. We find that the same infirmity besets the cash vouchers from Glennis Laundry Hausupon which the award for loss of earning capacity was based.

It bears stressing that the cash vouchers from Glennis Laundry Hauswere not identified by Celerina contrary to the findings of the CA but by Celine in her testimony before the RTC on November 13, 2002⁴⁹ and Celine, under cross-examination, admitted by way of stipulation that she had no participation in the preparation thereof.⁵⁰ We thus agree with the RTC's ruling that said cash vouchers though admitted in evidence, whether objected to or not, have no probative value for being hearsay.⁵¹

Evidence is hearsay when its probative force depends on the competency and credibility of some persons other than the witness by whom it is sought to be produced. The exclusion of hearsay evidence is anchored on three reasons: (1) absence of cross-examination; (2) absence of demeanor evidence; and (3) absence of oath.⁵² Basic under the rules of evidence is that

⁴⁷ *People v. Ibañez*, G.R. No. 148627, April 28, 2004, 428 SCRA 146, 162-163, citing *People v. Panabang*, G.R. Nos. 137514-15, January 16, 2002, 373 SCRA 560, 575; *People v. De Vera*, G.R. No. 128966, August 18, 1999, 312 SCRA 640, 670; and *Chan v. Maceda, Jr.*, 450 Phil. 416, 431 (2003).

⁴⁸ *People v. Jadap*, G.R. No. 177983, March 30, 2010, 617 SCRA 179, 196-197; *People v. Garchitorena*, G.R. No. 175605, August 28, 2009, 597 SCRA 420, 448-449; *People v. Algarme*, G.R. No. 175978, February 12, 2009, 578 SCRA 601, 629; *Victory Liner, Inc. v. Gammad*, 486 Phil. 574, 590 (2004); *People v. Agudez*, G.R. Nos. 138386-87, May 20, 2004, 428 SCRA 692, 711-712; *People v. Oco*, 458 Phil. 815, 855 (2003); *People v. Caraig*, G.R. Nos. 116224-27, 448 Phil. 78, 97 (2003); and *People v. Pajotal*, G.R. No. 142870, November 14, 2001, 368 SCRA 674, 689.

⁴⁹ TSN, November 13, 2002, pp. 6-10.

⁵⁰ Id. at 11-14.

⁵¹ *Asilo, Jr. v. People*, G.R. Nos. 159017-18 & 159059, March 9, 2011, 645 SCRA 41, 64.

⁵² *Dantis v. Maghinang, Jr.*, G.R. No. 191696, April 10, 2013, pp. 7-8.

a witness can only testify on facts within his or her personal knowledge. This personal knowledge is a substantive prerequisite in accepting testimonial evidence establishing the truth of a disputed fact. Corollarily, a document offered as proof of its contents has to be authenticated in the manner provided in the rules, that is, by the person with personal knowledge of the facts stated in the document.⁵³

Except for the award for the loss of earning capacity, the Court concurs with the findings of the CA and sustains the other awards made in so far as they are in accordance with prevailing jurisprudence. In addition, pursuant to this Court's ruling in *Del Carmen, Jr. v. Bacoy*⁵⁴ citing *Eastern Shipping Lines, Inc. v. Court of Appeals*,⁵⁵ an interest of 6% per annum on the amounts awarded shall be imposed, computed from the time of finality of this Decision until full payment thereof.

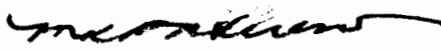
WHEREFORE, the instant petition is **GRANTED**. The award for the loss of earning capacity in the amount of ₱2,316,000 granted by the Court of Appeals in its Decision dated August 29, 2008 in CA-G.R. CV No. 83309 in favor of respondents is hereby **SET ASIDE**. All the other monetary awards are hereby **AFFIRMED** with **MODIFICATION** in that interest at the rate of 6% per annum on the amounts awarded shall be imposed, computed from the time of finality of this Decision until full payment thereof.

No pronouncement as to costs.

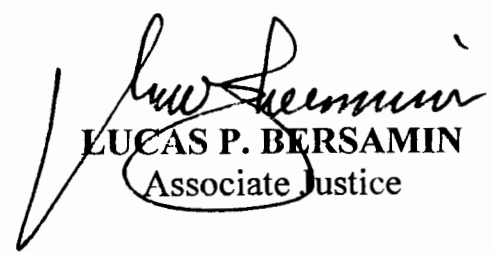
SO ORDERED.


MARTIN S. VILLARAMA, JR.
 Associate Justice

WE CONCUR:


MARIA LOURDES P. A. SERENO
 Chief Justice
 Chairperson

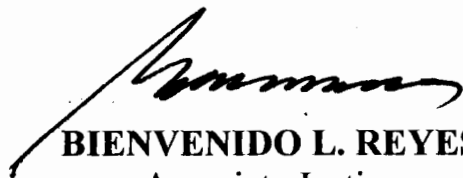

TERESITA J. LEONARDO-DE CASTRO
 Associate Justice


LUCAS P. BERSAMIN
 Associate Justice

⁵³ *Jaca v. People*, G.R. Nos. 166967, 166974 & 167167, January 28, 2013, 689 SCRA 270, 299.


⁵⁴ G.R. No. 173870, April 25, 2012, 671 SCRA 91, 111.

⁵⁵ G.R. No. 97412, July 12, 1994, 234 SCRA 78, 97.


BIENVENIDO L. REYES
Associate Justice

CERTIFICATION

Pursuant to Section 13, Article VIII of the 1987 Constitution, I certify that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.


MARIA LOURDES P. A. SERENO
Chief Justice

