



Republic of the Philippines  
Supreme Court  
Manila

THIRD DIVISION

HON. ORLANDO C.  
CASIMIRO, in his capacity as  
Acting Ombudsman, Office of the  
Ombudsman; HON. ROGELIO  
L. SINGSON, in his capacity as  
Department of Public Works and  
Highways Secretary,  
Petitioner,

G.R. No. 206661

Present:

VELASCO, JR., J., Chairperson  
PERALTA,  
VILLARAMA, JR.,  
MENDOZA,\* and  
REYES, JJ.

- versus -

Promulgated:

JOSEFINO N. RIGOR,  
Respondent.

December 10, 2014

X-----

DECISION

PERALTA, J.:

Before the Court is a Petition for Review on *Certiorari* under Rule 45 of the Rules of Court filed by petitioners Orlando C. Casimiro, as Acting Ombudsman, and Rogelio L. Singson, in his capacity as Secretary of the Department of Public Works and Highways (DPWH), assailing the Decision<sup>1</sup> of the Court of Appeals (CA) dated July 4, 2012 and its Resolution<sup>2</sup> dated March 27, 2013 in CA-G.R. SP 120708. The CA nullified and set aside the Order<sup>3</sup> of the Office of the Ombudsman (OMB), dated July 18, 2011, and reinstated its Order<sup>4</sup> dated April 29, 2011, both in OMB-C-A-05-0123-C.

\* Designated Acting Member, in lieu of Associate Justice Francis H. Jardeleza, per Raffle dated September 24, 2014.

<sup>1</sup> Penned by Associate Justice Francisco P. Acosta, with Associate Justices Magdangal M. De Leon and Angelita A. Gacutan; concurring; *rollo*, pp. 40-51.

<sup>2</sup> *Id.* at 53.

<sup>3</sup> *Id.* at 486-499.

<sup>4</sup> *Id.* at 432-449.

The factual and procedural antecedents are as follows:

Sometime in 2005, the General Investigation Bureau-A of the OMB (*GIB-A-OMB*) conducted a lifestyle check on respondent Josefino N. Rigor, then the Regional Director of the DPWH-National Capital Region (*DPWH-NCR*). Thereafter, the GIB-A-OMB filed a complaint against Rigor charging him criminally and administratively before the OMB for alleged unexplained wealth and violation of Republic Act (*R.A.*) No. 3019<sup>5</sup> and *R.A.* 1379.<sup>6</sup> Said complaint was mainly based on certain irregularities on Rigor's Statement of Assets, Liabilities and Net Worth (*SALNs*), allegedly failing to declare therein several properties, business interests, and financial connections. Its administrative aspect asserted that Rigor committed Dishonesty, Grave Misconduct, and Falsification of Official Documents.

The complaint alleged that Rigor failed to declare in his 1999 *SALN* the following:

- 1) Fourteen (14) parcels of land located in Barrio Maluid, Victoria, Tarlac, covered by Transfer Certificate of Title (*TCT*) Nos. 223271 to 223284, which were all issued by the Registry of Deeds for Tarlac province on August 21, 1989 in the name of Josefino Rigor, married to Abigail S. Rigor;
- 2) Seven (7) parcels of land located in San Roque and San Rafael, Tarlac City covered by a single title, *TCT* No. T-240955 issued by the Registry of Deeds for Tarlac Province on September 6, 1991 in the name of Josefino Rigor, married to Abigail S. Rigor;
- 3) A parcel of land located in San Roque and San Rafael, Tarlac City covered by *TCT* No. T-240956;
- 4) A two-storey commercial/residential building at 1722 G. Tuazon St., Sampaloc, Manila covered by *TCT* No. 229634 issued by the Registry of Deeds for Manila and was purchased from Jose N. Reyes for Nine Hundred Fifty Thousand Pesos (₱950,000.00) on July 18, 1996;
- 5) A Toyota Rav 4 Sports Utility Vehicle (*SUV*) with License Plate No. XPT-816 registered under Land Transportation Office (*LTO*) MV File No. 1336-115201 and sold by Toyota Shaw, Inc. on December 18, 1999 to Anastacia Corpuz Rigor, Rigor's wife;
- 6) A Dodge Ram Road Trek 1995 model with license number UBA-898 registered under the name of Rigor's wife, Anastacia C. Rigor. The same was sold by Anastacia only on May 16, 2003 to George Mamonluk for ₱1,050,000.00;

---

<sup>5</sup> Entitled *ANTI-GRAFT AND CORRUPT PRACTICES ACT*.

<sup>6</sup> Entitled *AN ACT DECLARING FORFEITURE IN FAVOR OF THE STATE ANY PROPERTY FOUND TO HAVE BEEN UNLAWFULLY ACQUIRED BY ANY PUBLIC OFFICER OR EMPLOYEE AND PROVIDING FOR THE PROCEEDINGS THEREFOR*.

- 7) Business interest in Jetri Construction Corporation which was incorporated in November 1989 under Securities and Exchange Commission (*SEC*) Reg. No. 171720 with an authorized capital stock of ₱8,000,000.00 which was primarily incorporated for construction business, in defiance of a possible conflict of interest with Rigor, being a ranking DPWH official. Rigor's wife, as one of the incorporators, has the biggest number of shares worth ₱600,000.00; she made payment of ₱150,000.00 worth of capital stocks and was the elected Treasurer of the Corporation; and
- 8) Business interest in Disneyland Bus Line, Inc. which was registered on March 30, 1994, primarily intended to operate as a transportation business with an authorized capital stock of ₱10,000,000.00. Of the ₱2,500,000.00 subscribed capital stocks, Rigor subscribed to ₱1,125,000.00 while his wife subscribed to ₱750,000.00. Both amounts of subscribed shares were wholly paid up.

In 2000, Rigor allegedly failed to declare the following in his SALN:

- 1) Fourteen (14) parcels of land located in Barrio Maluid, Victoria, Tarlac, covered by Transfer Certificate of Title (*TCT*) Nos. 223271 to 223284;
- 2) Seven (7) parcels of land located in San Roque and San Rafael, Tarlac City covered by a single title, TCT No. T-240955;
- 3) A parcel of land located in San Roque and San Rafael, Tarlac City under TCT No. 132066 issued by the Registry of Deeds for Tarlac Province on September 7, 1976 in the name of Josefino Rigor; and
- 4) A parcel of land located in San Roque and San Rafael, Tarlac City covered by TCT No. T-240956.

Lastly, he failed to include in his 2001 and 2002 SALNs the following properties, business interests, and financial connections:

- 1) Four (4) parcels of land in San Sebastian Village, Tarlac City covered by TCT Nos. 356610, 356611, 356612, and 356613, all in Rigor's name and purchased from Allan M. Manalang;
- 2) The two-storey commercial/residential building at 1722 G. Tuazon St., Sampaloc, Manila covered by TCT No. 229634;
- 3) The Toyota Rav 4 Sports Utility Vehicle (*SUV*) with License Plate No. XPT-816;
- 4) The Dodge Ram Road Trek 1995 model with license number UBA-898;

- 5) Business interest in Jetri Construction Corporation;
- 6) Business interest in Disneyland Bus Line, Inc.;
- 7) Business interest in Kontrata Construction and Development Corporation;
- 8) A parcel of land situated in Barrio Tibag, Tarlac City covered by TCT No. 249517 in the name of Rigor's son; and
- 9) Six (6) lots situated in San Sebastian Village, Tarlac City covered by TCT Nos. 330183, 327448, 326965, 326966, 326964, and 325284.

On July 28, 2006, the OMB issued a Decision finding Rigor guilty of Dishonesty, the dispositive portion of which reads:

FOREGOING CONSIDERED, pursuant to Section 52 (A-1) Rule IV of the Uniform Rules on Administrative Cases (CSC Resolution No. 991936), dated August 31, 1999, respondent JOSEFINO NACPIL RIGOR, Regional Director, DPWH-NCR, 2<sup>nd</sup> St., Port Area, Manila, is hereby found guilty of DISHONESTY and is meted the corresponding penalty of DISMISSAL FROM THE SERVICE, including all its accessory penalties of cancellation of eligibility, forfeiture of retirement benefits and perpetual disqualification for reemployment in the government service and without prejudice to criminal prosecution.

Pursuant to the Memorandum Circular No. 01 dated April 11, 2006 issued by the Office of the Ombudsman, the Honorable HERMOGENES E. EBDANE, JR., Secretary, Department of Public Works and Highways, is hereby directed to immediately implement this Decision, with the request to inform this Office of the action taken thereon and promptly submit to this Office a Compliance Report thereof.

SO ORDERED.<sup>7</sup>

Subsequently, Rigor moved for a reconsideration, which the OMB granted on April 29, 2011. It thus ruled:

**WHEREFORE**, in view of the foregoing, the Motion for Reconsideration of the respondent is hereby **GRANTED**. The Decision dated September 23, 2010, finding respondent JOSEFINO NACPIL RIGOR guilty of the administrative offense is hereby MODIFIED and SET ASIDE. Accordingly, respondent is adjudged GUILTY of Simple Negligence and is hereby fined the amount of One Thousand Pesos, with a warning that repetition of the same or similar act shall be dealt with more strictly.

---

<sup>7</sup>

*Rollo*, p. 406.

The Secretary of the Department of Public Works and Highways is hereby directed to implement this Decision within Ten (10) days from receipt hereof.

SO ORDERED.<sup>8</sup>

The DPWH Secretary then filed, through the Office of the Solicitor General (*OSG*), an Omnibus Motion (for Leave to Intervene and to Admit Motion for Reconsideration), praying for its intervention in the case to be allowed. The DPWH argued that there existed strong and compelling reasons for the reversal of the April 29, 2011 OMB Order. On June 7, 2011, the OMB directed Rigor to file his Comment on said Motion.

On July 18, 2011, the OMB issued an Order with a decretal portion that states:

**PREMISES CONSIDERED**, the Motion for Reconsideration dated 23 May 2011 is **GRANTED**. Accordingly, the Order dated 29 April 2011 finding JOSEFINO N. RIGOR guilty of Simple Negligence and imposing upon him the penalty of Fine in the amount of One Thousand Pesos (PhP1,000.00) is hereby **SET ASIDE**.

JOSEFINO N. RIGOR, Regional Director, DPWH-National Capital Region, is hereby found **GUILTY** of **Serious Dishonesty and Falsification of Official Documents**. The penalty of DISMISSAL FROM THE SERVICE is accordingly imposed against him pursuant to **Section 52-A, Rule IV of the Revised Uniform Rules on Administrative Cases in the Civil Service, as amended**, with the accessory penalties of cancellation of eligibility, forfeiture of all benefits, except leave credits, and the perpetual disqualification for reemployment in the Government service.

This Order is **immediately executory** pursuant to Ombudsman Memorandum Circular No. 01, Series of 2006, in relation to paragraph 1, Section 27 of R.A. 6770, and Section 7, Rule III, Administrative Order No. 7, Rules of Procedure of the Office of the Ombudsman, as amended, and in accordance with the ruling of the Supreme Court in **Ombudsman vs. Joel Samaniego**.

Accordingly, let a copy of this Order be furnished to the **Honorable Secretary Rogelio L. Singson**, Department of Public Works and Highways (DPWH), for the implementation thereof against **JOSEFINO N. RIGOR**.

SO ORDERED.<sup>9</sup>

Aggrieved, Rigor brought the case to the CA via a Petition for *Certiorari* under Rule 65 of the Rules of Court, attributing grave abuse of discretion amounting to lack or excess of jurisdiction on the part of the

---

<sup>8</sup> *Id.* at 448. (Emphasis in the original)

<sup>9</sup> *Id.* at 498-499. (Emphasis in the original)

OMB. On July 4, 2012, the appellate court sustained Rigor and rendered the herein assailed decision. Thus:

**WHEREFORE**, in view of the foregoing, the challenged Order dated 18 July 2011 of the Office of the Ombudsman is hereby **NULLIFIED** and **SET ASIDE**. Accordingly, the Order dated 29 April 2011 is hereby **REINSTATED**.

**SO ORDERED.**<sup>10</sup>

Thereafter, a Motion for Reconsideration was filed but the same was denied for lack of merit.

Hence, the OMB and the DPWH filed the instant Petition for Review. It asserts that the CA gravely erred in giving due course to Rigor's petition despite using the remedy of the special civil action of *certiorari* under Rule 65, instead of Rule 63, of the Rules of Court. They likewise maintain that the DPWH could still intervene before the OMB and question the April 29, 2011 OMB Order which found Rigor guilty of mere Simple Negligence and reduced the penalty to a fine of only ₱1,000.00. They aver that there is sufficient evidence to hold respondent administratively liable for Serious Dishonesty and Falsification of Official Documents.

Petitioners present the following arguments:

I.

THE COURT OF APPEALS GRAVELY ERRED IN NOT RULING THAT A PETITION FOR *CERTIORARI* AND PROHIBITION IS AN IMPROPER REMEDY TO ASSAIL RESPONDENT'S DISMISSAL FROM SERVICE.

II.

THE COURT OF APPEALS GRAVELY ERRED IN RULING THAT THE DPWH CAN NO LONGER INTERVENE BEFORE THE OFFICE OF THE OMBUDSMAN AND ASSAIL THE APRIL 29, 2011 ORDER FINDING RESPONDENT ADMINISTRATIVELY LIABLE ONLY FOR SIMPLE NEGLIGENCE.

III.

THE COURT OF APPEALS GRAVELY ERRED IN RULING THAT THE DPWH CAN NO LONGER INTERVENE BEFORE THE OFFICE OF THE OMBUDSMAN, DESPITE THE PRESENCE OF SUFFICIENT EVIDENCE TO HOLD RESPONDENT ADMINISTRATIVELY LIABLE FOR SERIOUS DISHONESTY AND FALSIFICATION OF OFFICIAL DOCUMENTS.<sup>11</sup>

---

<sup>10</sup> *Id.* at 50. (Emphasis in the original)

<sup>11</sup> *Id.* at 17-18.

There is merit in the petition.

The Court shall first delve on the procedural issues of the case. The OMB contends that the CA should have dismissed Rigor's Petition for *Certiorari* for being an improper remedy. Appeals from decisions in administrative disciplinary cases of the OMB should be taken to the CA via a Petition for Review under Rule 43 of the Rules of Court. Rule 43 prescribes the manner of appeal from quasi-judicial agencies, such as the OMB, and was formulated precisely to provide for a uniform rule of appellate procedure for quasi-judicial agencies. Rigor, in support of his petition for *certiorari*, argues that there was no other plain, speedy, and adequate legal remedy available to him. But it is settled that *certiorari* under Rule 65 will not lie, as appeal under Rule 43 is an adequate remedy in the ordinary course of law. The remedies of appeal and *certiorari* are mutually exclusive and not alternative or successive.<sup>12</sup> And even if the special civil action of *certiorari* were to be allowed, Rigor still failed to show that the OMB committed grave abuse of discretion in giving due course to the intervention of the DPWH.

Under Section 13(8), Article XI of the 1987 Constitution, the OMB is authorized to promulgate its own rules of procedure. As such, it likewise holds the power to amend or modify said rules as the interest of justice may require.<sup>13</sup> The emerging trend of jurisprudence is more inclined to the liberal and flexible application of procedural rules. Nonetheless, rules of procedure still exist to ensure the orderly, just, and speedy dispensation of cases; to this end, inflexibility or liberality must be weighed. Thus, the relaxation or suspension of procedural rules or the exemption of a case from their operation is warranted only by compelling reasons or when the purpose of justice requires it.<sup>14</sup>

Here, the records clearly show compelling and justifiable reasons for the OMB to allow the Omnibus Motion of the DPWH and, consequently, hold Rigor administratively liable. Rigor alleges that the business interests in the Jetri Construction Corporation, the two-storey building in Sampaloc, Manila, the Toyota RAV 4 SUV, and the Dodge Ram Road Trek were all separate properties of his second wife, Anastacia, that was why he never included the same in his SALNs. Section 8 of R.A. No. 6713,<sup>15</sup> however,

---

<sup>12</sup> *Balbastro v. Junio*, 554 Phil. 548, 557 (2007).

<sup>13</sup> Section 27, R.A. No. 6770, AN ACT PROVIDING FOR THE FUNCTIONAL AND STRUCTURAL ORGANIZATION OF THE OFFICE OF THE OMBUDSMAN, AND FOR OTHER PURPOSES.

<sup>14</sup> *Asia United Bank v. Goodland Company, Inc.*, G.R. No. 188051, November 22, 2010.

<sup>15</sup> Entitled AN ACT ESTABLISHING A CODE OF CONDUCT AND ETHICAL STANDARDS FOR PUBLIC OFFICIALS AND EMPLOYEES, TO UPHOLD THE TIME-HONORED PRINCIPLE OF PUBLIC OFFICE BEING A PUBLIC TRUST, GRANTING INCENTIVES AND REWARDS FOR EXEMPLARY SERVICE, ENUMERATING PROHIBITED ACTS AND TRANSACTIONS AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND FOR OTHER PURPOSES.

requires him to declare under oath even the assets, liabilities, and financial interests of his spouse, thus:

**Section 8. *Statements and Disclosure.*** - Public officials and employees have an obligation to accomplish and submit declarations under oath of, and the public has the right to know, their **assets, liabilities, net worth and financial and business interests including those of their spouses** and of unmarried children under eighteen (18) years of age living in their households.

(A) **Statements of Assets and Liabilities and Financial Disclosure.** - All public officials and employees, except those who serve in an honorary capacity, laborers and casual or temporary workers, shall file under oath their Statement of Assets, Liabilities and Net Worth and a Disclosure of Business Interests and Financial Connections and those of their spouses and unmarried children under eighteen (18) years of age living in their households.

The two documents shall contain information on the following:

- (a) real property, its improvements, acquisition costs, assessed value and current fair market value;
- (b) personal property and acquisition cost;
- (c) all other assets such as investments, cash on hand or in banks, stocks, bonds, and the like;
- (d) liabilities, and;
- (e) all business interests and financial connections.

x x x<sup>16</sup>

Dishonesty, as juridically understood, implies the disposition to lie, cheat, deceive, or defraud; untrustworthiness; lack of integrity; lack of honesty or probity in principle; lack of fairness and straightforwardness; disposition to defraud, deceive or betray. It is a malevolent act that puts serious doubt on one's ability to perform duties with the integrity and uprightness demanded of a public officer or employee. The requirement of filing a SALN is enshrined in the Constitution to promote transparency in the civil service and serves as a deterrent against government officials bent on enriching themselves through unlawful means. By mandate of law, every government official or employee must make a complete disclosure of his assets, liabilities and net worth in order to avoid any issue regarding questionable accumulation of wealth. The importance of requiring the submission of a complete, truthful, and sworn SALN as a measure to defeat corruption in the bureaucracy cannot be gainsaid. Full disclosure of wealth in the SALN is necessary to particularly minimize, if not altogether eradicate, the opportunities for official corruption, and maintain a standard



of honesty in the public service. Through the SALN, the public can monitor movement in the fortune of a public official; it serves as a valid check and balance mechanism to verify undisclosed properties and wealth. The failure to file a truthful SALN reasonably puts in doubts the integrity of the officer and normally amounts to dishonesty.<sup>17</sup>

In the case at bar, Rigor deliberately and wilfully omitted his wife's business interests in the Jetri Corporation, the two-storey building in Sampaloc, the Toyota RAV 4, and the Dodge Ram Road Trek in his SALNs for 1999, 2000, 2001, and 2002, despite being required by law to do so. Anent his wife's alleged business interests in Disneyland Bus Line, Inc., and Kontrata Construction & Development Corporation, his belief that he was no longer under obligation to declare the same as they had already become dead corporations, deserves scant merit. He and Anastacia had paid-up capital stocks in the bus line amounting to ₱1,125,000.00 and ₱750,000.00, respectively, and ₱100,000.00 and ₱330,000.00 in the construction firm, respectively. Since the bus line was incorporated in 1994 and the construction firm in 1995, Rigor should have nonetheless declared in his SALNs their interests therein, until the time the corporations have been dissolved. While said corporations may be considered as dead corporations, dissolution and liquidation are still necessary. Also, Rigor's SALN for 1999 has two (2) versions. Though it appears that both SALNs contain the same property values and liabilities, his networth in the SALN which he submitted to OMB-Luzon is substantially higher than that in the SALN submitted to DPWH-Region 1, on account of the declared accumulated depreciation in the amount of ₱5,898,181.00. True, no liability can be attributed to him for submitting two (2) different SALNs for a calendar year, as his real purpose behind it cannot be ascertained with accuracy, but such act still manifests Rigor's predilection to misrepresent a fact. Since there are two (2) versions of a SALN which appear to have been subscribed on the same date before the same administering officer, it cannot, therefore, be determined which of these two versions represents his real networth.

Rigor, moreover, alleged that he had no obligation to declare the fourteen (14) parcels of land in Victoria, Tarlac because these properties were actually owned by Riyacorp Piggery Form Incorporated, a family corporation which his parents owned. He was merely authorized to mortgage these properties and was never the owner of the same prior to the subsequent transfer to Metrobank, the present owner. However, the annotations on the Memorandum of Encumbrances of the titles showed that said properties were the subject of a Deed of Sale in favor of the Associated Bank way back in 1987. The ownership over these properties was also consolidated in the name of said bank in the same year and new TCTs were consequently issued. Thus, in all likelihood, the owner of the properties

---

<sup>17</sup> *Flor Gupilan-Aguilar and Honore R. Hernandez v. Office of the Ombudsman, represented by Hon. Simeon V. Marcelo; and PNP-CIDG, represented by Dir. Eduardo Matillano*, G.R. No. 197307, February 26, 2014.

prior to Rigor was Associated Bank and not Riyacorp, and the latter could not have possibly authorized Rigor to mortgage the properties. This proves that Rigor was, in fact, the owner of the lots and not merely Riyacorp's authorized mortgagor. As such, he was under obligation to declare the same from 1989 to 2000, before the consolidation of ownership in favor of Metrobank in 2001.

Lastly, as to the twenty-nine (29) copies of his SALNs from 1972 to 1998, he knew that the Administrative Division did not have file copies of his SALNs because of the fire that gutted the DPWH Legal Office where its employees' SALNs were kept. Instead of admitting and informing the Administrative Division of DPWH-Region 1 that copies of his old SALNs were no longer available, he reconstituted them and made it appear that said reconstituted SALNs were the very same documents which he executed from 1972 to 1998. He even put the blame on the fact-finding investigators of the OMB for maliciously forcing him to reproduce his SALNs by virtue of a subpoena. He could not, however, justify his misrepresentation by this assertion as the one who was actually directed by the subpoena to reproduce the SALNs was the Chief of the Administrative Division, DPWH-Region 1. In addition, Rigor's SALNs do not have markings or stamps of receipt as proof of filing and give an impression that these had all been accomplished on a single occasion. These facts indubitably show that Rigor should likewise be held liable for Falsification of Official Documents.

Falsification of an official document such as the SALN is considered a grave offense. It amounts to dishonesty. Both falsification and dishonesty are grave offenses punishable by dismissal from the service, even for the first offense, with forfeiture of retirement benefits, except accrued leave benefits, and perpetual disqualification from reemployment in government service. The act of falsifying an official document is in itself grave because of its possible deleterious effects on government service. At the same time, it is also an act of dishonesty, which violates fundamental principles of public accountability and integrity. Under Civil Service regulations, falsification of an official document and dishonesty are distinct offenses, but both may be committed in one act, as in this case. The constitutionalization of public accountability shows the kind of standards of public officers that are woven into the fabric of our legal system. To reiterate, public office is a public trust, which embodies a set of standards such as responsibility, integrity and efficiency. Unfortunately, reality may sometimes depart from these standards, but our society has consciously embedded them in our laws so that they may be demanded and enforced as legal principles, and the Court is mandated to apply these principles to bridge actual reality to the norms envisioned for our public service.<sup>18</sup>


---

<sup>18</sup>*OCA v. Kasilag*, A.M. No. P-08-2573, June 19, 2012, 673 SCRA 583, 589.


Administrative proceedings are governed by the "substantial evidence rule," meaning a finding of guilt in an administrative case may and would issue if supported by substantial evidence that the respondent has committed the acts stated in the complaint. Substantial evidence is more than a mere scintilla. It means such relevant evidence as a reasonable mind might accept as adequate to support a conclusion, even if other minds equally reasonable might conceivably opine otherwise. Its absence is not shown by stressing that there is contrary evidence, direct or circumstantial, on record. Here, the pieces of evidence met the quantum of evidence required in administrative cases to justify Rigor's dismissal from service.<sup>19</sup> Not only did he fail to declare in his SALN the separate properties of his wife, as required by law, he likewise failed to satisfactorily explain the other glaring irregularities involved with his SALNs. These facts certainly constitute sufficient and relevant evidence which a reasonable mind might accept as adequate to sustain a finding of guilt against Rigor for Serious Dishonesty and Falsification of Official Documents, for which the penalty of Dismissal from Service is imposed pursuant to Section 52, Rule IV of the Revised Uniform Rules on Administrative Cases in the Civil Service, as amended.

**WHEREFORE**, premises considered, the petition is **GRANTED**. The Decision of the Court of Appeals dated July 4, 2012 and its Resolution dated March 27, 2013 in CA-G.R. SP 120708 are **REVERSED AND SET ASIDE**. The Order of the Office of the Ombudsman dated July 18, 2011 in OMB-C-A-05-0123-C finding Josefino N. Rigor guilty of Serious Dishonesty and Falsification of Official Documents, and ordering his Dismissal from Service, is hereby **REINSTATED**.

**SO ORDERED.**

  
**DIOSDADO M. PERALTA**  
Associate Justice


**WE CONCUR:**

  
**PRESBITERO J. VELASCO, JR.**  
Associate Justice  
Chairperson

<sup>19</sup> *Flor Gupilan-Aguilar and Honore R. Hernandez v. Office of the Ombudsman, represented by Hon. Simeon V. Marcelo; and PNP-CIDG, represented by Dir. Eduardo Matillano, supra note 17.*


  
**MARTIN S. VILLARAMA, JR.**  
Associate Justice

  
**JOSE CATRAL MENDOZA**  
Associate Justice

  
**BIENVENIDO L. REYES**  
Associate Justice


**ATTESTATION**

I attest 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.

  
**PRESBITERO J. VELASCO, JR.**  
Associate Justice  
Chairperson, Third Division

**CERTIFICATION**

Pursuant to Section 13, Article VIII of the Constitution and the Division Chairperson's Attestation, 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