

RECEIVED
ADJUDICATION BOARD
BOHOL
City of Tagbilaran
DATE: 6/20/06
NAME: B
TIME: 1:30
Agrarian Reform

Republic of the Philippines
DEPARTMENT OF LAND REFORM
ADJUDICATION BOARD
BOHOL
City of Tagbilaran

EMERGENCIA PRADO, et al.
Petitioners
DARAB Case No. VII-BOH-167/181-2001

-versus-

JUANITO ONGOS, et al.,
Respondents

x ----- /

OMNIBUS MOTION:

- A. MOTION FOR DISMANTLING OF FENCE ERECTED BY PETITIONER PRADO UPON THE SUBJECT PARCELS OF LAND;
- B. MOTION TO DECLARE NULL AND VOID THE ORDER OF THEN SEC. ERNESTO D. GARILAO DATED JUNE 24, 1996 GRANTING PETITIONER RETENTION RIGHTS OVER THE SUBJECT PARCELS OF LAND

Respondents, through counsel, in the above-entitled case, and to the Honorable Adjudicator, most respectfully state:

1. That Petitioner Prado, despite the Certification issued by the Land Bank of the Philippines that Respondents had fully paid their respective amortizations for the subject parcels of land, caused to be constructed a fence on the same, to the prejudice of the latter, being unable to enter the said premises and cultivate their respective landholdings, as evidenced by the photographs thereof, hereto attached as Annexes "A," to "E," respectively. The prejudice to Respondents is further aggravated by the fact that Respondents do not have any other means of livelihood, but are able to eke out a hand-to-mouth existence from the produce of the their respective landholdings, for which they have been issued respective titles, only to be cancelled at the instance of the Department of Agrarian Reform;

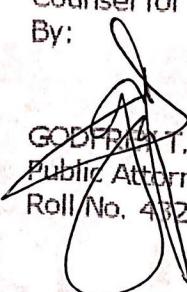
2. That aside therefrom, the Order of then Secretary of Agrarian Reform, Ernesto D. Garilao, dated June 24, 1996, is null and void, the same being issued in wanton violation of Respondent's right to due process, considering that they were never notified of the proceedings therefor. In the same vein, the children of Petitioner Prado should never have been aff

retention rights, not being tillers of the subject parcel, but all are presently residing and working abroad.

Wherefore, it is hereby most respectfully prayed that the instant Motion favorably acted upon, as well as other reliefs just and equitable under the premises.

City of Tagbilaran, this 20th day of June, 2006.

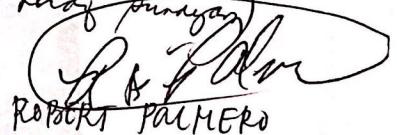
PUBLIC ATTORNEY'S OFFICE
Tagbilaran City
Counsel for the Respondents
By:


GODFREY T. TUBO
Public Attorney II
Roll No. 43225; IBP No. 62231, 5/5/2006

Cc:

Atty. J. Albert Tinampay
Counsel for Prado
Tagbilaran City (via personal service)

(Copy for Atty. Tinampay was served
personally by [Signature])


ROBERT PALMER



DEPARTMENT OF LAND REFORM
residing and working abroad ADJUDICATION BOARD
BOHOL

Wherefore, it is hereby City of Tagbilaran fully prayed that the instant
EMERGENCIA PRADO, et al., Petitioners, as well as other reliefs just and equitable under
DARAB Case No. VII-BOH-167/1B1-2001
the premises,
-versus-

City of Tagbilaran, the 27th day of June, 2006.

JUANITO ONGOS, et al.,

Respondents

x ----- /

PUBLIC ATTORNEY'S OFFICE

Tagbilaran City

Counsel for the Respondents

OMNIBUS MOTION:

- A. MOTION FOR DISMANTLING OF FENCE ERECTED BY PETITIONER PRADO UPON THE SUBJECT PARCELS OF LAND;
- B. MOTION TO DECLARE NULL AND VOID THE ORDER OF THEN SEC. ERNESTO D. GARILAO DATED JUNE 24, 1996 GRANTING PETITIONER RETENTION RIGHTS OVER THE SUBJECT PARCELS OF LAND

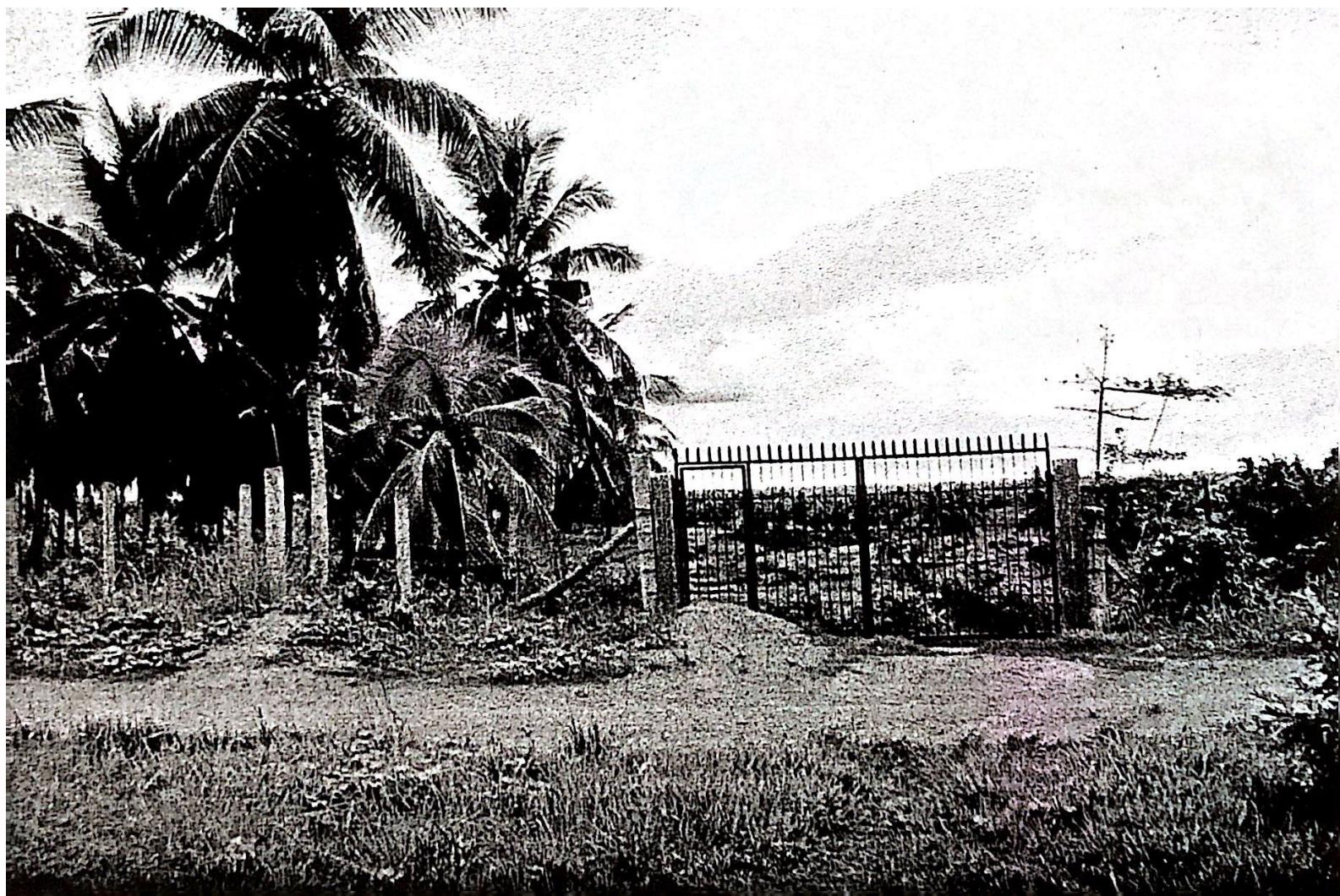
Respondents, through counsel, in the above-entitled case, and to the

Honorable Adjudicator, most respectfully state:

1. That Petitioner Prado, despite the Certification issued by the Land Bank of the Philippines that Respondents had fully paid their respective amortizations for the subject parcels of land, caused to be constructed a fence on the same, to the prejudice of the latter, being unable to enter the said premises and cultivate their respective landholdings, as evidenced by the photographs thereof, hereto attached as Annexes "A," to "E," respectively. The prejudice to Respondents is further aggravated by the fact that Respondents do not have any other means of livelihood, but are able to eke out a hand-to-mouth existence from the produce of the their respective landholdings, for which they have been issued respective titles, only to be cancelled at the instance of the Department of Agrarian Reform;

2. That aside therefrom, the Order of then Secretary of Agrarian Reform, Ernesto D. Garilao, dated June 24, 1996, is null and void, the same being issued in wanton violation of Respondent's right to due process, considering that they were never notified of the proceedings therefor. In the same vein, the children of Petitioner Prado should never have been afforded





Annex P



Annex C



ADJUDICATION BOARD

BOHOL

City of Tagbilaran

MRS. EMERGENCIA PRADO, ET AL., DARAB CASE NO. VII-BOH-167/181-2001
Petitioners,

- versus -

For: CANCELLATION OF EP'S

JUANITO ONGOS, ET AL.,
Respondents.

X-----/

NOTICE OF HEARING

To :

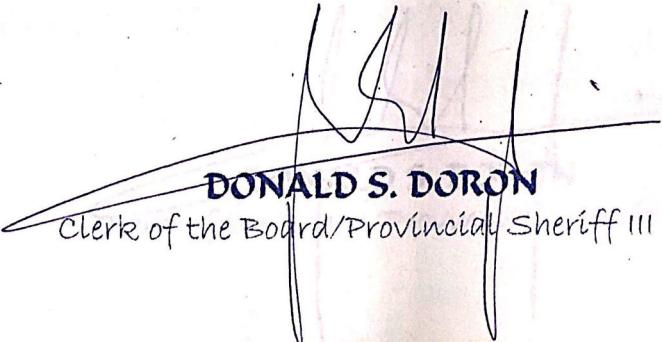
- Atty. Godfrey T. Tubo
Atty. Saturnino Lusterio
Provincial Agrarian Reform Officer
Register of Deeds of Bohol
Municipal Agrarian Reform Officer
Emergencia Prado
- Public Attorney's Office, Hall of Justice
Capitol Site, Tagbilaran City
- DAR Mun. Office, Ubay, Bohol
- DAR Office, BODARE Bldg., Tagbilaran City
- Capitol Bldg., Tagbilaran City
- DAR Mun. Office, Ubay, Bohol
- Tabajan, Guindulman, Bohol

Greetings :

Please be informed that the hearing of the above-entitled cases is cancelled and set on May 31, 2006 (Wednesday) at 10:00 o'clock in the morning, DAR Adjudication Board Office, 2nd floor, BODARE Bldg., (Beside) Provincial Capitol Annex Bldg., J.A. Clarin St., Dao District, Tagbilaran City.

"POSTPONEMENT IS HEREBY DISCOURAGED, PARTIES ARE HEREBY DIRECTED TO BE PRESENT ON THE SAID DATE".

WITNESS THE HONORABLE DARAB ADJUDICATOR, JOSEPHUS A. BATERNA, this 04th day of May 2006, Tagbilaran City, Philippines.


DONALD S. DORON

Clerk of the Board/Provincial Sheriff III

ADJUDICATION BOARD
BOHOL
City of Tagbilaran

DATE: 5/19/06 4:20
NAME: JF

EMERGENCIA PRADO, et al.
Petitioners

DARAB Case No. VII-BOH-167/181-2001

-versus-

JUANITO ONGOS, et al.,
Respondents
x ----- /

SECOND SUPPLEMENTAL OPPOSITION TO
PETITIONERS' MOTION FOR EXECUTION

Respondents, through counsel, in the above-entitled case, and to the Honorable Adjudicator, most respectfully state:

1. That the decision sought to be executed does not, in any way, bind Respondents considering that none of them were duly furnished copies of the notices and other processes in this case;
2. That resultantly, the sought for execution of the subject decision would be gravely violative of the rights of Respondents to due process;
3. That Respondents will be more than willing to substantiate this assertion during the scheduled hearing on May 31, 2006;

Wherefore, it is hereby most respectfully prayed that Petitioner's Motion for Execution be denied for lack of merit, as well as other reliefs just and equitable under the premises.

City of Tagbilaran, this 19th day of May, 2006.

PUBLIC ATTORNEY'S OFFICE
Tagbilaran City
Counsel for the Respondents
By:

GODFREY T. TUBO
Public Attorney II
Roll No. 43225; IBP No. 62231, 5/5/2006

Cc:

Atty. Vencenzo Arcamo
Counsel for Prado
Tagbilaran City

ADJUDICATION BOARD

BOHOL

City of Tagbilaran

DARAB Case No. 167/181-2001

EMERGENCIA PRADO, et al.
Petitioners

DARAB Case No. VII-BOH-167/181-2001

-versus-

JUANITO ONGOS, et al.,
Respondents /
x ----- /

SUPPLEMENTAL OPPOSITION TO PETITIONERS' MOTION FOR EXECUTION
SECOND SUPPLEMENTAL OPPOSITION TO
PETITIONERS' MOTION FOR EXECUTION

Respondents, through counsel, in the above-entitled case, and to the Honorable Adjudicator, most respectfully state:

- Private Respondents, most respectfully contend that the
- That the decision sought to be executed does not, in any way, bind Respondents considering that none of them were duly furnished copies of the notices and other processes in this case;
 - That resultantly, the sought for execution of the subject decision would be gravely violative of the rights of Respondents to due process;
 - That Respondents will be more than willing to substantiate this assertion during the scheduled hearing on May 31, 2006, at Accounting Office.

Wherefore, it is hereby most respectfully prayed that Petitioner's Motion for Execution be denied for lack of merit, as well as other reliefs just and equitable under the premises.

City of Tagbilaran, this 19th day of May, 2006.

PUBLIC ATTORNEY'S OFFICE
Tagbilaran City
Counsel for the Respondents
By:

GODFREY V. TUBO
Public Attorney II
Roll No. 43215; IBP No. 62231, 5/5/2006

Cc:


Atty. Vencenzio Arcamo
Counsel for Prado
Tagbilaran City

City of Tagbilaran DATE: 2/10/06 NAME: L. O.

EMERGENCIA B. PRADO,
DEPT. OF AGRARIAN REFORM,
rep. by Atty. Johnson A. Sinco
Petitioners

DARAB Case No. 167 to 181-2001

-versus-

JUANITO ONGOS, et al

Respondents

X ----- /

SUPPLEMENTAL OPPOSITION TO PETITIONERS' MOTION FOR EXECUTION

PRIVATE RESPONDENTS, through counsel, in the above-entitled case, and to this Honorable Board, most respectfully state:

1. That in addition to the earlier-filed Opposition to Petitioners' Motion for Execution, Private Respondents, most respectfully contend that the issuance of the writ of execution as prayed for is contrary to law, morals, public policy and would inevitably result in a grave injustice, considering that all Private Respondents, who are farmer-beneficiaries of the subject parcel of land, had, as of 1993, fully paid, through their backbreaking labor and untold sacrifices, all their monthly amortizations with the Land Bank of the Philippines, as certified to by one CRISTINA J. ROMUGA, Acting Head, BAC, of the aforesaid Bank, Bohol Accounting Center, Tagbilaran City, copy thereof hereto attached as Annex "1;"

WHEREFORE, on the strength of all the foregoing, it is hereby most respectfully prayed that the Petitioners' Motion for Writ of Execution be denied for utter lack of merit, as well as other reliefs just and equitable under the premises.

City of Tagbilaran, this 2nd day of May, 2006.

PUBLIC ATTORNEY'S OFFICE
Tagbilaran City
Counsel for Private Respondents
By:

GODFREY T. TUBO
Public Attorney II
Roll No. 43225

Cc:

Atty. Venzencio Arcamo
Counsel for Private Petitioner Prado (via registered mail due to lack of messengerial personnel)

Annex "1"

RECEIVED
CST. COUNSELORS AND CONS
map. by Atty. Johnson A. Sison
Petitioners

LAND BANK OF THE PHILIPPINES
BOHOL ACCOUNTING CENTER
Tagbilaran City

C E R T I F I C A T I O N

This is to certify that the below-named Farmer-Beneficiaries of SPS.
EMERENCIA & EUGENIO BERNALDEZ-PRADO of Villa Teresita, Ubay
have fully paid their Agrarian Reform Receivables with the Land Bank of the Philippines,
to wit:

FB Name	Area
1. Licot, Benedicto	1550 sq. meters
2. Licot, Galinato	1581 sq. meters
3. Licot, Galinato	1680 sq. meters
4. Maputi, Pedro	2560 sq. meters
5. Maputi, Pedro	688 sq. meters
6. Ongos, Juanito	1179 sq. meters
7. Ongos, Juanito	641 sq. meters
8. Ongos, Juanito	2286 sq. meters
9. Ongos, Juanito	416 sq. meters
10. Ongos, Restituto	2231 sq. meters
11. Ongos, Restituto	3222 sq. meters
12. Ongos, Restituto	661 sq. meters
13. Ongos, Restituto	387 sq. meters
14. Temblaco Maximiano	9470 sq. meters
15. Temblaco, Perfecto	990 sq. meters

This certification is issued upon the request of Mr. Restituto Ongos for whatever legal purposes it may serve him and his fellow farmer-beneficiaries.

Done this 31st day of March, 2005 at Land bank of the Philippines, Tagbilaran City, Bohol.

Ongos
CRISTINA J. KOMUGA
Acting Head, BAC

retd;
Fully Paid
1993

PROVINCE OF BOHOL
City of Tagbilaran

RECEIVED

DATE: 7/2/06 TIME: 1:30

NAME:

DARAB Case No.

EMERGENCIA B. PRADO,
DEPT. OF AGRARIAN REFORM,
rep. by Atty. Johnson A. Sincos
Petitioners

-versus-

JUANITO ONGOS, et al
Respondents

X ----- /

CERTIFICATION

SUPPLEMENTAL OPPOSITION TO PETITIONERS' MOTION FOR EXECUTION

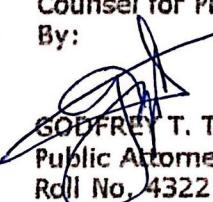
PRIVATE RESPONDENTS, through counsel, in the above-entitled case, and to
this Honorable Board, most respectfully state:

1. That in addition to the earlier-filed Opposition to Petitioners' Motion for Execution, Private Respondents, most respectfully contend that the issuance of the writ of execution as prayed for is contrary to law, morals, public policy and would inevitably result in a grave injustice, considering that all Private Respondents, who are farmer-beneficiaries of the subject parcel of land, had, as of 1993, fully paid, through their backbreaking labor and untold sacrifices, all their monthly amortizations with the Land Bank of the Philippines, as certified to by one CRISTINA J. ROMUGA, Acting Head, BAC, of the aforesaid Bank, Bohol Accounting Center, Tagbilaran City, copy thereof hereto attached as Annex "1;"

WHEREFORE, on the strength of all the foregoing, it is hereby most respectfully prayed that the Petitioners' Motion for Writ of Execution be denied for utter lack of merit, as well as other reliefs just and equitable under the premises.

City of Tagbilaran, this 2nd day of May, 2006.

PUBLIC ATTORNEY'S OFFICE
Tagbilaran City
Counsel for Private Respondents
By:


GODFREY T. TUBO
Public Attorney II
Roll No. 43225

Cc:

Atty. Venzencio Arcamo
Counsel for Private Petitioner Prado (via registered mail due to lack of messengerial personnel)

LAND BANK OF THE PHILIPPINES
DEPARTMENT OF AGRARIAN REFORM
BOHOL ACCOUNTING CENTER
Tagbilaran City
Bohol
Tagbilaran City

EMERGENCIA PRADO, ET. AL., DARAB CASE NO. VII-BOH-367 TO
Petitioners 181-2861

CERTIFICATION

- VOTED -

For

This is to certify that the below-named Farmer-Beneficiaries of SPS,
EMERENCIA & EUGENIO BERNALDEZ-PRADO of Villa Teresita, Ubay
have fully paid their Agrarian Reform Receivables with the Land Bank of the Philippines,
to wit:

FB Name	Area
1. Licot, Benedicto	1550 sq. meters.
2. Licot, Galinato	1581 sq. meters
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13. Ongos, Restituto	387 sq. meters
14. Temblaco Maximiano	9470 sq. meters
15. Temblaco, Perfecto	990 sq. meters

This certification is issued upon the request of Mr. Restituto Ongos for whatever
legal purposes it may serve him and his fellow farmer-beneficiaries.

Done this 31st day of March, 2005 at Land bank of the Philippines, Tagbilaran
City, Bohol.

CRISTINA J. KOMUGA
Acting Head, SAC

not:
Fully Paid

1993