



Sangguniang Panglungsod

REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

RESOLUTION NO. 97-88

RESOLUTION REQUESTING THE HONORABLE REGIONAL TRIAL COURT, BRANCH 276 IN MUNTINLUPA CITY TO DEFER THE IMPLEMENTATION OF THE WRIT OF EXECUTION DATED 23 SEPTEMBER 1996 IN CIVIL CASE NO. 13006 ENTITLED LYDIA RAMOS, ET. AL., VERSUS ROBERTO M. BUNYI.

Sponsored by : Hon. Rey E. Bulay
Hon. Dante S. Almario
Hon. Roman E. Nieves
Hon. Melchor R. Teves
Hon. Rafael R. Arciaga
Hon. Aldrin L. San Pedro
Hon. Jo Jason T. Alcaraz
Hon. Patricio L. Boncayao, Jr.
Hon. Alejandro L. Martinez
Hon. Rufino B. Joaquin
Hon. Victor L. Ulanday
Hon. Reynaldo A. Abas, Jr.
Hon. Artemio A. Simundac

WHEREAS, on October 1997, a Writ of Demolition was issued by the Regional Trial Court Branch 276 in Muntinlupa City directing the Court Sheriff to implement the Special Order dated 23 September 1996 for the immediate demolition, removal and tear down of any and all improvements introduced by Plaintiffs on the area which is the subject of road widening by the Muntinlupa Government;

WHEREAS, Sheriff Antonio D. Blancaflor of RTC Branch 276 issued a notice to the Plaintiffs in Civil Case No. 13006 giving them until 22 October 1997 within which to voluntarily vacate and demolish their improvements affected by said road widening;

WHEREAS, on 10 October 1997, the Court issued an order suspending the enforcement of the Writ of Execution insofar as the property of Plaintiff Loida Joaquin is concerned;

WHEREAS, the plaintiff in Civil Case No. 13006 appeared before the Sangguniang Panglungsod and requested for assistance for the deferment of the enforcement of the Writ of Execution and the Writ of Demolition on the allegation that they have valid titles to their respective properties which will be affected by the road widening project of the Muntinlupa City Government;

WHEREAS, said plaintiffs have assailed the validity of the Compromise Agreement on the allegation that the conditions therein were not duly complied with and that the submission of the required survey plan was done through fraud;

WHEREAS, pursuant to Resolution No. 97-66 of the Sangguniang Panglungsod which was adopted on 4 August 1997, Mayor Ignacio R. Bunye was granted an authority to enter into a contract for the ROAD WIDENING of Montillano Street, provided that no one shall be unjustly prejudiced, copy of this Resolution is hereto attached as Annex "A".



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WHEREAS, since the Sangguniang Panglungsod is not a party to the case and considering that the matter is within the jurisdiction of the Court, the Sangguniang Panglungsod deems it proper to refer to RTC Branch 276 the request of the plaintiff for appropriate action in accordance with existing applicable laws, rules and regulations.

NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, by the Sangguniang Panglungsod to refer the request of the plaintiffs in Civil Case No. 13006 filed before RTC Branch 176 entitled Lydia Ramos, et. al versus Roberto Buni for the deferment of the enforcement of the Writ of Execution and Demolition dated 23 September 1996 and 7 October 1997 respectively.

APPROVED by the Sangguniang Panglungsod of Muntinlupa this 20th day of October 1997, on its 101th Regular Session.

CONCURRED:

HON. MELCHOR R. TEVES
Councilor

HON. DANTE S. ALMARIO
Councilor

HON. RAFAEL R. ARCIAGA
Councilor

HON. VICTOR L. ULANDAY
Councilor

HON. ALDRIN L. SAN PEDRO
Councilor

HON. REYNALDO A. ABAS, JR.
Councilor

HON. JO JASON T. ALCARAZ
Councilor

HON. REY E. BULAY
Councilor

HON. ROMAN E. NIEFES
Councilor

HON. ALEJANDRO L. MARTINEZ
Councilor

HON. PATRICIO L. BONCAYAO, JR.
Councilor

HON. RUFINO B. JOAQUIN
Councilor



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HON. ARTEMIO A. SIMUNDAC
Sectoral Representative
President
Association of Barangay Captain

ABSENT :

HON. ALLAN REY A. CAMILON
Sectoral Representative
President
Federation of Sangguniang Kabataan

I HEREBY CERTIFY as to the correctness of this Resolution

NECCIO M. GUICO
Secretary
SANGGUNANG PANGLUNGSOD

ATTESTED :

HON. JAIME R. FRESNEDI
Vice-Mayor/Presiding Officer

Victor L. Alandy