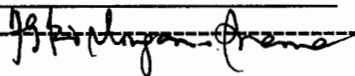


EN BANC

G.R. No. 190004: LAND BANK OF THE PHILIPPINES, Petitioner, v. EUGENIO DALAUTA, Respondent.

Promulgated:
August 8, 2017

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SEPARATE OPINION

LEONEN, J.:

I reiterate the position in my separate concurring opinion in *Limkaichong v. Land Bank of the Philippines*,¹ that the original and exclusive jurisdiction of Special Agrarian Courts to determine just compensation cannot be superseded by administrative rules.

The Constitution recognizes the right to just compensation. Article III, Section 9 of the Constitution provides that “[p]rivate property shall not be taken for public use without just compensation.”² Article XIII, Section 4³ of the Constitution also recognizes the landowner’s right to just compensation.

The determination of just compensation, as a constitutional right, is ultimately a judicial matter. Thus, in *Export Processing Zone Authority v. Dulay*:⁴

The determination of “just compensation” in eminent domain cases is a judicial function. The executive department or the legislature may make the initial determinations but when a party claims a violation of the guarantee in the Bill of Rights that private property may not be taken for public use without just compensation, no statute, decree, or executive order can mandate that its own determination shall prevail over the court’s findings. Much less can the courts be precluded from looking into the

¹ *Separate Concurring Opinion* of J. Leonen, G.R. No. 158464, August 2, 2016, <http://sc.judiciary.gov.ph/pdf/web/viewer.html?file=/jurisprudence/2016/august2016/158464_leonen.pdf> [Per J. Bersamin, En Banc].

² CONST., art. III, sec. 9.

³ CONST., art. XIII, sec. 4 provides:

Section 4. The State shall, by law, undertake an agrarian reform program founded on the right of farmers and regular farmworkers, who are landless, to own directly or collectively the lands they till or, in the case of other farmworkers, to receive a just share of the fruits thereof. To this end, the State shall encourage and undertake the just distribution of all agricultural lands, subject to such priorities and reasonable retention limits as the Congress may prescribe, taking into account ecological, developmental, or equity considerations, and subject to the payment of just compensation. In determining retention limits, the State shall respect the right of small landowners. The State shall further provide incentives for voluntary land-sharing.

⁴ 233 Phil. 313 (1987) [Per J. Gutierrez, Jr., En Banc].



“just-ness” of the decreed compensation.⁵

Consistent with this, the legislature vested jurisdiction over petitions for the determination of just compensation to landowners with the courts. Thus, under Section 57 of Republic Act No. 6657,⁶ Regional Trial Courts sitting as Special Agrarian Courts have “original and exclusive jurisdiction over all petitions for the determination of just compensation to landowners.”⁷ This jurisdiction is original, which means that petitions for the determination of just compensation may be initiated before Special Agrarian Courts. This jurisdiction is also *exclusive*, which means that no other court or quasi-administrative tribunal has the same original jurisdiction over these cases.

Moreover, I agree with the astute and discerning insight of Justice Lucas Bersamin that as a constitutional right, the right to just compensation is imprescriptible. Generally, prescription is statutory and a statutory right cannot trump fundamental constitutional rights. Notably, Section 57 does not provide a time period for a landowner to file a petition for the determination of just compensation, even in the context of agrarian reform.

I

The *ponencia* points out that, under Section 50 of Republic Act No. 6657, the Department of Agrarian Reform Adjudication Board (DARAB) has the primary jurisdiction to determine and adjudicate agrarian reform matters and, generally, has exclusive original jurisdiction over all matters involving the implementation of agrarian reform. In relation to the separate jurisdictions of the DARAB and the Special Agrarian Courts, the DARAB promulgated a rule providing a 15-day period within which to appeal a decision on land valuation, and preliminary determination and payment of just compensation.⁸ Further, the *ponencia* enumerates cases where this Court held that a petition for determination of just compensation before the Special Agrarian Courts shall be made within the 15-day period prescribed by the DARAB Rules, and notes that these cases may be incongruent with the original and exclusive jurisdiction of the Special Agrarian Courts over all petitions for the determination of just compensation to landowners.⁹

⁵ Id. at 326.

⁶ Comprehensive Agrarian Reform Law of 1988.

⁷ Rep. Act No. 6657, sec. 57 provides:

Section 57. Special Jurisdiction. — The Special Agrarian Courts shall have original and exclusive jurisdiction over all petitions for the determination of just compensation to landowners, and the prosecution of all criminal offenses under this Act. The Rules of Court shall apply to all proceedings before the Special Agrarian Courts, unless modified by this Act.

The Special Agrarian Courts shall decide all appropriate cases under their special jurisdiction within thirty (30) days from submission of the case for decision.

⁸ *Ponencia*, p. 10.

⁹ Id. at 13.

Fundamentally, the quasi-judicial power of the DARAB is limited to agrarian disputes. Section 50 of Republic Act No. 6657 provides:

SECTION 50. *Quasi-Judicial Powers of the DAR.* — The DAR is hereby vested with primary jurisdiction to determine and adjudicate agrarian reform matters and shall have exclusive original jurisdiction over all matters involving the implementation of agrarian reform except those falling under the exclusive jurisdiction of the Department of Agriculture (DA) and the Department of Environment and Natural Resources (DENR).

It shall not be bound by technical rules of procedure and evidence but shall proceed to hear and decide all cases, disputes or controversies in a most expeditious manner, employing all reasonable means to ascertain the facts of every case in accordance with justice and equity and the merits of the case. Toward this end, it shall adopt a uniform rule of procedure to achieve a just, expeditious and inexpensive determination of every action or proceeding before it.

It shall have the power to summon witnesses, administer oaths, take testimony, require submission of reports, compel the production of books and documents and answers to interrogatories and issue *subpoena*, and *subpoena duces tecum*, and enforce its writs through sheriffs or other duly deputized officers. It shall likewise have the power to punish direct and indirect contempts in the same manner and subject to the same penalties as provided in the Rules of Court.

Responsible farmer leaders shall be allowed to represent themselves, their fellow farmers, or their organizations in any proceedings before the DAR: *Provided, however,* That when there are two or more representatives for any individual or group, the representatives should choose only one among themselves to represent such party or group before any DAR proceedings.

Notwithstanding an appeal to the Court of Appeals, the decision of the DAR shall be immediately executory.

It is true that the Department of Agrarian Reform's quasi-judicial power refers to agrarian reform matters and matters involving the implementation of agrarian reform. However, the law defines agrarian reform and agrarian disputes as:

SECTION 3. *Definitions.* — For the purpose of this Act, unless the context indicates otherwise:

(a) Agrarian Reform means the redistribution of lands, regardless of crops or fruits produced to farmers and regular farmworkers who are landless, irrespective of tenurial arrangement, to include the totality of factors and support services designed to lift the economic status of the beneficiaries and all other arrangements alternative to the physical redistribution of lands, such as production or profit-sharing, labor administration, and the distribution of shares of stocks, which will allow beneficiaries to receive a

just share of the fruits of the lands they work.

...

(d) Agrarian Dispute refers to any controversy relating to tenurial arrangements, whether leasehold, tenancy, stewardship or otherwise, over lands devoted to agriculture, including disputes concerning farmworkers' associations or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of such tenurial arrangements.

It includes any controversy relating to compensation of lands acquired under this Act and other terms and conditions of transfer of ownership from landowners to farmworkers, tenants and other agrarian reform beneficiaries, whether the disputants stand in the proximate relation of farm operator and beneficiary, landowner and tenant, or lessor and lessee.

Thus, "agrarian reform" refers to redistribution of lands, and "agrarian dispute" refers to disputes relating to tenurial arrangements. Certainly, the amount of just compensation to be paid by the government to a private landowner pursuant to expropriation of land does not relate to the redistribution of land, or to tenurial arrangements. Although "compensation of lands" is mentioned under the definition of "agrarian dispute," this is compensation specifically for land that is transferred directly from a private landowner to an agrarian reform beneficiary. It does not include the determination of just compensation where the government is acquiring land from a private landowner.

II

The law contemplates two instances where the government engages in the valuation of private land. One, discussed earlier, is to determine how much the beneficiaries will pay. The other, subject of this case, is to determine just compensation.

The law contemplates government engaging in the valuation of land where private land is transferred from a landowner to agrarian reform beneficiaries, under a voluntary land transfer. In case of disagreement between an owner and a farmer-beneficiary as to the price of land, the law lays down a procedure for the Department of Agrarian Reform to receive evidence from interested parties and determine the matter.¹⁰ Notably, it is this type of dispute as to compensation that constitutes an agrarian dispute under Section 3(d) of Republic Act No. 6657.

¹⁰ Rep. Act No. 6657, Section 21.



Then there is an internal valuation made by the Department of Agrarian Reform when it wishes to acquire private land. The law provides for a procedure for government, through the Department of Agrarian Reform, to initially determine the value of the land to be offered to the landowner. If the landowner agrees, then there will be no need for condemnation proceedings. Thus, under the law, the Department of Agrarian Reform shall first make an internal valuation of the land to be acquired, after which it shall notify the landowners of its proposed purchase price.¹¹ Thereafter, the landowner signifies whether he or she accepts or rejects the department's offer.¹² If the landowner accepts the Department of Agrarian Reform's offer, the offer is binding as a contractual agreement between the parties, and no further proceedings are necessary to determine compensation.

Where the landowner does not accept the Department of Agrarian Reform's initial offer, the department shall conduct summary administrative proceedings, requiring the Land Bank of the Philippines and interested parties to submit evidence, to determine the compensation.¹³ Based on this summary administrative proceeding, the Department of Agrarian Reform shall determine an amount as compensation, which shall be given to the landowner, if he or she accepts the price. Otherwise, it shall be deposited with a designated bank to facilitate condemnation proceedings.¹⁴

If the landowner does not accept the valuation of land proposed by the Department of Agrarian Reform, then the original and exclusive jurisdiction of the SAC applies.

Section 57 of Republic Act No. 6657 provides:

SECTION 57. *Special Jurisdiction.* — The Special Agrarian Courts shall have original and exclusive jurisdiction over all petitions for the determination of just compensation to landowners, and the prosecution of all criminal offenses under this Act. The Rules of Court shall apply to all proceedings before the Special Agrarian Courts, unless modified by this Act.

The Special Agrarian Courts shall decide all appropriate cases under their special jurisdiction within thirty (30) days from submission of the case for decision.

Clearly, only this special jurisdiction involves the power to determine the amount of just compensation in relation to expropriation. Moreover, under the law, a preliminary valuation by the Department of Agrarian Reform is not a prerequisite to the filing of a petition for the determination

¹¹ Rep. Act No. 6657, Section 16 (a).

¹² Rep. Act No. 6657, Section 16 (b).

¹³ Rep. Act No. 6657, Section 16 (d).

¹⁴ Rep. Act No. 6657, Section 16 (e).

of just compensation.

It is in this context that we should re-evaluate earlier precedents.

III

The *ponencia* mentions *Philippine Veterans Bank v. Court of Appeals*,¹⁵ *Land Bank v. Martinez*,¹⁶ *Soriano v. Republic*,¹⁷ and *Limkaichong v. Land Bank of the Philippines*.¹⁸ I concur with the *ponencia* that in some cases, this Court laid down rules incongruent with the original and exclusive jurisdiction of the Special Agrarian Courts. Further, a close examination of jurisprudence reveals no sound basis, in policy or in law, for binding the courts to the 15-day period of the DARAB Rules. Although the DARAB may be bound by its own rules and act according to the periods it prescribes, there is no reason for the rules promulgated by the DARAB to have any effect on how the courts deal with cases within their original and exclusive jurisdiction.

In *Philippine Veterans Bank v. Court of Appeals*,¹⁹ the issue was the Regional Trial Court's dismissal of a petition for determination of just compensation on the basis that it was filed beyond the 15-day reglementary period. However, the discussion of Section 50, Rule XIII, §11 of the DARAB Rules of Procedure was limited to the issue of the primary jurisdiction of the Department of Agrarian Reform:

To implement the provisions of R.A. No. 6657, particularly §50 thereof, Rule XIII, §11 of the DARAB Rules of Procedure provides:

Land Valuation and Preliminary Determination and Payment of Just Compensation. — The decision of the Adjudicator on land valuation and preliminary determination and payment of just compensation shall not be appealable to the Board but shall be brought directly to the Regional Trial Courts designated as Special Agrarian Courts within fifteen (15) days from receipt of the notice thereof. Any party shall be entitled to only one motion for reconsideration.

As we held in *Republic v. Court of Appeals*, this rule is an acknowledgment by the DARAB that the power to decide just compensation cases for the taking of lands under R.A. No. 6657 is vested in the courts. It is error to think that, because of Rule XIII, §11, the

¹⁵ 379 Phil. 141 (2000) [Per J. Mendoza, Second Division].

¹⁶ 556 Phil. 809 (2007) [Per J. Nachura, Third Division].

¹⁷ 685 Phil. 583 (2012) [Per J. Villarama, First Division].

¹⁸ G.R. No. 158464, August 2, 2016, <
<http://sc.judiciary.gov.ph/pdf/web/viewer.html?file=/jurisprudence/2016/august2016/158464.pdf>> [Per J. Bersamin, En Banc].

¹⁹ 379 Phil. 141 (2000) [Per J. Mendoza, Second Division].

original and exclusive jurisdiction given to the courts to decide petitions for determination of just compensation has thereby been transformed into an appellate jurisdiction. It only means that, in accordance with settled principles of administrative law, primary jurisdiction is vested in the DAR as an administrative agency to determine in a preliminary manner the reasonable compensation to be paid for the lands taken under the Comprehensive Agrarian Reform Program, but such determination is subject to challenge in the courts.

The jurisdiction of the Regional Trial Courts is not any less “original and exclusive” because the question is first passed upon by the DAR, as the judicial proceedings are not a continuation of the administrative determination. For that matter, the law may provide that the decision of the DAR is final and unappealable. Nevertheless, resort to the courts cannot be foreclosed on the theory that courts are the guarantors of the legality of administrative action.

Accordingly, as the petition in the Regional Trial Court was filed beyond the 15-day period provided in Rule XIII, §11 of the Rules of Procedure of the DARAB, the trial court correctly dismissed the case and the Court of Appeals correctly affirmed the order of dismissal.²⁰

In *Veterans*, this Court did not explain its basis for finding the 15-day reglementary period binding on the courts. This Court said that Rule XIII, §11 of the DARAB Rules of Procedure, which contained the 15-day period, was an implementation of Section 50 of Republic Act No. 6657, which vests the Department of Agrarian Reform with primary jurisdiction to determine and adjudicate agrarian reform matters and exclusive, original jurisdiction over all matters involving the implementation of agrarian reform. But there is no explanation why the jurisdiction granted to the Department of Agrarian Reform in Section 50 of Republic Act No. 6657 extends to an authority to limit the period to invoke the original and exclusive jurisdiction of the Special Agrarian Courts under Section 57 of this act.

*Land Bank v. Martinez*²¹ also does not explain why the 15-day period should be binding on the courts. *Martinez*, however, is different from the case at bar, in that the subject of the petition there was not whether the courts could take cognizance over a petition for determination of just compensation. Rather, the main issue there was whether the Provincial Agrarian Reform Adjudicator could validly issue a writ of execution after the lapse of the 15-day period.²² There was no need to discuss the jurisdiction of the Special Agrarian Courts in that case. Nonetheless, *Martinez* said that the consequence of filing a petition beyond the 15-day period was that the Provincial Agrarian Reform Adjudicator’s decision attained finality.²³ This Court relied on its earlier cases, *Philippine Veterans*

²⁰ Id. at 148–149.

²¹ 556 Phil. 809 (2007) [Per J. Nachura, Third Division].

²² Id. at 821.

²³ Id.

Bank,²⁴ and *Department of Agrarian Reform Adjudication Board v. Lubrica*²⁵ when it declared:

Finally and most importantly, we find petitioner not entitled to the grant of a writ of *certiorari* by the appellate court because the Office of the PARAD did not gravely abuse its discretion when it undertook to execute the September 4, 2002 decision. Rule XIII, Section 11 of the DARAB Rules of Procedure, which was then applicable, provides that:

Section 11. Land Valuation and Preliminary Determination and Payment of Just Compensation. — The decision of the Adjudicator on land valuation and preliminary determination and payment of just compensation shall not be appealable to the Board but shall be brought directly to the Regional Trial Courts designated as Special Agrarian Courts within fifteen (15) days from receipt of the notice thereof. Any party shall be entitled to only one motion for reconsideration.

In *Philippine Veterans Bank v. Court of Appeals* and in *Department of Agrarian Reform Adjudication Board v. Lubrica*, we explained the consequence of the said rule to the effect that the adjudicator's decision on land valuation attains finality after the lapse of the 15-day period. Considering therefore that, in this case, LBP's petition with the SAC for the fixing of just compensation was filed 26 days after its receipt of the PARAD's decision, or eleven days beyond the reglementary period, the latter had already attained finality. The PARAD could very well issue the writ of execution.²⁶ (Citations omitted)

In a Resolution in *Land Bank v. Martinez*,²⁷ this Court sitting *En Banc* reiterated its August 14, 2007 Decision and made its ruling in *Veterans* doctrinal:

[F]or the guidance of the bench and the bar . . . the better rule is that stated in *Philippine Veterans Bank*, reiterated in *Lubrica* and in the August 14, 2007 Decision in this case. Thus, *while a petition for the fixing of just compensation with the SAC is not an appeal from the agrarian reform adjudicator's decision but an original action, the same has to be filed within the 15-day period stated in the DARAB Rules; otherwise, the adjudicator's decision will attain finality.* This rule is not only in accord with law and settled jurisprudence but also with the principles of justice and equity. Verily, a belated petition before the SAC, *e.g.*, one filed a month, or a year, or even a decade after the land valuation of the DAR adjudicator, must not leave the dispossessed landowner in a state of uncertainty as to the true value of his property.²⁸

²⁴ 379 Phil. 141 (2000) [Per J. Mendoza, Second Division].

²⁵ 497 Phil. 313 (2005) [Per J. Tinga, Second Division].

²⁶ *Land Bank v. Martinez*, 556 Phil. 809, 821 (2007) [Per J. Nachura, Third Division].

²⁷ 582 Phil. 739 (2008) [Per J. Nachura, En Banc].

²⁸ *Id.* at 746.

However, as discussed earlier, *Philippine Veterans Bank*²⁹ did not explain why the 15-day period should be binding on the courts.

The facts of *Department of Agrarian Reform Adjudication Board v. Lubrica*,³⁰ like those of *Martinez*, are not on all fours with this case. In *Lubrica*, the DARAB issued a writ of preliminary injunction against the Regional Agrarian Reform Adjudicator's writ of execution because a petition for determination for just compensation had been filed with the Special Agrarian Court.³¹ The 15-day period was mentioned only in passing. The issue in *Lubrica* was whether DARAB had the power to issue the extraordinary writ of certiorari and not whether the Special Agrarian Court could take cognizance of a petition for determination of just compensation beyond the 15-day period prescribed by DARAB.³²

The petitioners in *Soriano v. Republic*³³ questioned the application of the 15-day period on petitions for determination of just compensation filed with the court. In *Soriano*, this Court reiterated once more its ruling in *Veterans*:

In *Phil. Veterans Bank v. Court of Appeals*, we explained that the consequence of the said rule is that the adjudicator's decision on land valuation attains finality after the lapse of the 15-day period. Considering that Agrarian Case No. 64-2001, filed with the SAC for the fixing of just compensation, was filed 29 days after petitioners' receipt of the DARAB's decision in DARAB Case No. LV-XI-0071-DN-2000 for the lot covered by TCT No. (T-8935) T-3120 and 43 days after petitioners' receipt of the DARAB's decision in DARAB Case No. LV-XI-0073-DN-2000, for the lot covered by TCT No. (T-2906) T-749, the DARAB's decisions had already attained finality.³⁴

This Court glossed over the issue of the basis for the period within which the Special Agrarian Court could exercise its jurisdiction, relying again on the precedent laid down in *Veterans* and *Republic v. Court of Appeals*:

Petitioners contend that there is no statutory basis for the promulgation of the DARAB procedure providing for a mode of appeal and a reglementary period to appeal. On the matter of whether the DARAB Rules of Procedure laid out an appeal process and the validity of the 15-day reglementary period has already been laid to rest, the Court, in *Republic v. Court of Appeals* and subsequent cases has clarified that the determination of the amount of just compensation by the DARAB is merely a preliminary administrative determination which is subject to

²⁹ 379 Phil. 141 (2000) [Per J. Mendoza, Second Division].

³⁰ 497 Phil. 313 (2005) [Per J. Tinga, Second Division].

³¹ Id. at 318.

³² Id. at 322.

³³ 685 Phil. 583 (2012) [Per J. Villarama, First Division].

³⁴ Id. at 589.

challenge before the SACs which have original and exclusive jurisdiction over all petitions for the determination of just compensation under Section 57, R.A. No. 6657. In *Republic v. Court of Appeals*, we ruled:

[U]nder the law, the Land Bank of the Philippines is charged with the initial responsibility of determining the value of lands placed under land reform and the compensation to be paid for their taking. Through notice sent to the landowner pursuant to §16(a) of R.A. No. 6657, the DAR makes an offer. In case the landowner rejects the offer, a summary administrative proceeding is held and afterward the provincial (PARAD), the regional (RARAD) or the central (DARAB) adjudicator as the case may be, depending on the value of the land, fixes the price to be paid for the land. If the landowner does not agree to the price fixed, he may bring the matter to the RTC acting as Special Agrarian Court. This in essence is the procedure for the determination of compensation cases under R.A. No. 6657. In accordance with it, the private respondent's case was properly brought by it in the RTC, and it was error for the latter court to have dismissed the case. In the terminology of §57, the RTC, sitting as a Special Agrarian Court, has "original and exclusive jurisdiction over all petitions for the determination of just compensation to landowners." It would subvert this "original and exclusive" jurisdiction of the RTC for the DAR to vest original jurisdiction in compensation cases in administrative officials and make the RTC an appellate court for the review of administrative decisions.

Consequently, although the new rules speak of directly appealing the decision of adjudicators to the RTCs sitting as Special Agrarian Courts, **it is clear from §57 that the original and exclusive jurisdiction to determine such cases is in the RTCs. Any effort to transfer such jurisdiction to the adjudicators and to convert the original jurisdiction of the RTCs into appellate jurisdiction would be contrary to §57 and therefore would be void.** What adjudicators are empowered to do is only to determine in a preliminary manner the reasonable compensation to be paid to landowners, leaving to the courts the ultimate power to decide this question.

The above ruling was reiterated in *Philippine Veterans Bank v. Court of Appeals*. In that case, petitioner landowner who was dissatisfied with the valuation made by LBP and DARAB, filed a petition for determination of just compensation in the RTC (SAC). However, the RTC dismissed the petition on the ground that it was filed beyond the 15-day reglementary period for filing appeals from the orders of the DARAB. On appeal, the CA upheld the order of dismissal. When the case was elevated to this Court, we likewise affirmed the CA and declared that:

To implement the provisions of R.A. No. 6657, particularly §50 thereof, Rule XIII, §11 of the DARAB Rules of Procedure provides:



Land Valuation and Preliminary Determination and Payment of Just Compensation. — The decision of the Adjudicator on land valuation and preliminary determination and payment of just compensation shall not be appealable to the Board but shall be brought directly to the Regional Trial Courts designated as Special Agrarian Courts within fifteen (15) days from receipt of the notice thereof. Any party shall be entitled to only one motion for reconsideration.

As we held in *Republic v. Court of Appeals*, this rule is an acknowledgment by the DARAB that the power to decide just compensation cases for the taking of lands under R.A. No. 6657 is vested in the courts. It is error to think that, because of Rule XIII, §11, the original and exclusive jurisdiction given to the courts to decide petitions for determination of just compensation has thereby been transformed into an appellate jurisdiction. It only means that, in accordance with settled principles of administrative law, primary jurisdiction is vested in the DAR as an administrative agency to determine in a preliminary manner the reasonable compensation to be paid for the lands taken under the Comprehensive Agrarian Reform Program, but such determination is subject to challenge in the courts.

The jurisdiction of the Regional Trial Courts is not any less “original and exclusive” because the question is first passed upon by the DAR, as the judicial proceedings are not a continuation of the administrative determination. For that matter, the law may provide that the decision of the DAR is final and unappealable. Nevertheless, resort to the courts cannot be foreclosed on the theory that courts are the guarantors of the legality of administrative action.

Accordingly, as the petition in the Regional Trial Court was filed beyond the 15-day period provided in Rule XIII, §11 of the Rules of Procedure of the DARAB, the trial court correctly dismissed the case and the Court of Appeals correctly affirmed the order of dismissal.³⁵ (Emphasis in the original)

Finally, in *Limkaichong v. Land Bank of the Philippines*,³⁶ this Court recognized the validity of the 15-day period, citing, again, *Veterans*. This Court did not bind petitioner in that case to the 15-day period. Only because petitioner’s complaint was filed before “the Court en banc unanimously resolved the jurisprudential conundrum through its declaration in *Land Bank v. Martinez* that the better rule was that enunciated in *Philippine Veterans*

³⁵ Id. at 589–592.

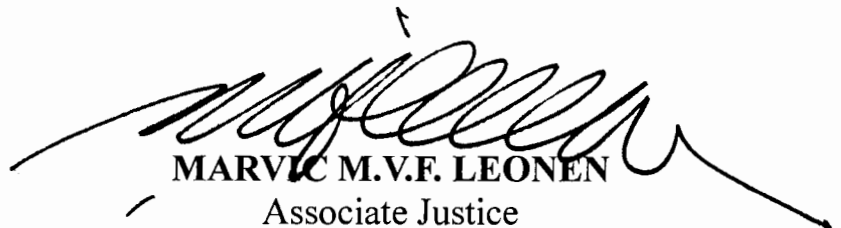
³⁶ G.R. No. 158464, August 2, 2016, <
<http://sc.judiciary.gov.ph/pdf/web/viewer.html?file=/jurisprudence/2016/august2016/158464.pdf>> [Per J. Bersamin, En Banc].

Bank,³⁷ that this Court decided that the ruling in *Veterans* must be applied prospectively.

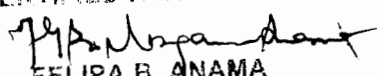
Considering that Republic Act No. 6657 does not provide a limit on the period within which a landowner can file a petition for the determination of just compensation, and considering further that the right to just compensation is a constitutional right, there is no basis for the executive branch to limit the period for landowners to assert their right to just compensation under this act. Any attempt to do so should be struck down for being outside the constitutional confines of the eminent domain powers of the state.

Hence, the Special Agrarian Court did not err when it took cognizance of the case, despite petitioner's failure to file a petition within the period prescribed by the DARAB Rules of Procedure.

ACCORDINGLY, I vote to **DENY** the Petition.



MARVIC M.V.F. LEONEN
Associate Justice

CERTIFIED XEROX COPY:

FELIPA B. ANAMA
CLERK OF COURT, EN BANC
SUPREME COURT

³⁷ Id. at 13.