EXCERPT FROM THE MINUTES OF THE 18th REGULAR SESSION FOR CY 2024 OF THE 11th SANGGUNIANG BAYAN OF MONCADA, TARLAC HELD ON THE 27th DAY OF MAY 2024 AT THE SB SESSION HALL, SB-ABC-SK BUILDING.

PRESENT:

HON. RAMON BENITO M. AQUINO	**..VICE MAYOR / PRESIDING OFFICER**
HON. JANIUS M. YASAY	**..MEMBER / PRO-TEMPORE**
HON. RODOLFO C. ESPEJO, JR.	**..MEMBER**
HON. ALBERTO C. MARZAN, JR., MD	**..MEMBER**
HON. THELMAFLOR A. ESPEJO	**..MEMBER**
HON. CELESTE A. AYSON	**..MEMBER**
HON. GEORGE MICHAEL P. AGUILAR	**..MEMBER**
HON. CONSTANTE NESTOR A. FAVIS	**..MEMBER**
HON. DEAN MICHAEL V. DUQUE	**..MEMBER**
HON. BERNADINE C. FERRER	**..LNB PRESIDENT**
HON. JAYVEE B. NATIVIDAD	**..MFSK PRESIDENT**

ABSENT:
NONE

RESOLUTION NO. 2024-051

RESOLUTION DISMISSING THE ADMINISTRATIVE CASE FILED BY MR. HORACIO CABASA, REPRESENTED BY EDITA CABASA, AGAINST PUNONG BARANGAY JOHNNY B. GALEON; ROSIE S. ORCINO, JESSIE G. CABASA, DANILO M. GALICIA, FERDINAND RAMOS, MEMBERS OF THE SANGGUNIANG BARANGAY; AND RENAIDA R. FLORES, BARANGAY SECRETARY, ALL OF BANAOANG WEST, THIS MUNICIPALITY, FOR LACK OF JURISDICTION

Sangguniang Bayan En Banc

WHEREAS, private individuals seeking redress for improprieties or for any other offenses as enumerated in the Local Government Code committed against them by public officials themselves is a relief offered under the Code as a deterrent to the abuse of vested authority by and violation of the code of conduct among said officials;

WHEREAS, the Sangguniang Bayan by virtue of its quasi-judicial functions, is empowered under the Local Government Code to conduct investigations and render decisions thereof relating to administrative cases;

WHEREAS, in instant administrative case, the Sangguniang Bayan, sitting *En Banc* as an investigative panel, commenced the investigation thereof on 13 December 2023, following the Barangay and SK Elections held last 30 October 2023;

WHEREAS, both parties were summoned to attend the aforementioned hearing and the same have been given opportunity to narrate their testimonies. Afterwhich, the SB members reviewed the documents submitted by the parties;

TÜVRheinland CERTIFIED
Management System ISO 9001:2015
www.tuv.com ID 9000010553

WHEREAS, upon perusal of the Special Power of Attorney issued by Mr. Horacio Cabasa to Ms. Edita Cabasa, his appointed attorney-in-fact, it was found by the SB that said document is limited only to the filing of criminal, civil, and administrative cases in relation to the land dispute between Horacio Cabasa and the alleged suspects on the incident that transpired last July 2, 2023 regarding the alleged removal of fences by a certain Jonathan Angeles, Rufino Cabasa, Jr., Angelo Abad, Dennis Cabasa, and Christian Cabasa. The properties subject of the dispute are covered by TCT No. 370815 containing an area of 10,000 square meters and TCT No. 43118 with 49,359 square meters;

WHEREAS, Ms. Edita Cabasa was then advised to submit another Special Power of Attorney which she could use to file an administrative case against the alleged erring barangay officials, however, after more than 120 days, Ms. Cabasa failed to re-file her complaint;

WHEREAS, under the foregoing premises and circumstances, the SB, by a unanimous vote, finds the administrative case to be lacking in jurisdiction, hence, this Sanggunian is bereft of the authority to take jurisdiction on the issues presented by the complainant;

NOW, THEREFORE, on motion unanimously presented and approved;

RESOLVED, that the Sangguniang Bayan of Moncada hereby **dismisses** the Administrative Case filed by Mr. Horacio Cabasa, represented By Edita Cabasa, against Punong Barangay Johnny B. Galeon; Rosie S. Orcino, Jessie G. Cabasa, Danilo M. Galicia, Ferdinand Ramos, Members of the Sangguniang Barangay; and Renaida R. Flores, Barangay Secretary, all of Barangay Banaoang West, this municipality, for lack of jurisdiction;

RESOLVED FURTHER, that copies of this Resolution be furnished the parties, the Municipal Mayor, the DILG, and all concerned offices and agencies for their information;

CARRIED.

x==========x

I HEREBY CERTIFY to the correctness of the foregoing Resolution which was duly ADOPTED by the Sangguniang Bayan on the above-mentioned date and place:

VICTOR SANDINO S. MOLINA
Secretary to the Sanggunian

ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:

RAMON BENITO M. AQUINO
Vice Mayor & Presiding Officer

TÜVRheinland CERTIFIED
Management System ISO 9001:2015
www.tuv.com ID 9000010553