



Republic of the Philippines  
PROVINCE OF NEGROS OCCIDENTAL  
Old Capitol Building, Bacolod City  
Tel. No. 707-8075 (Admin) \* 435-7698 (Board Member) \* 709-0121 (Legislative Division)  
OFFICE OF THE SANGGUNIANG PANLALAWIGAN

*EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF THE PROVINCE OF NEGROS OCCIDENTAL HELD IN THE CITY OF BACOLOD ON THE 14<sup>TH</sup> DAY OF OCTOBER, 2025*

PRESENT:

Hon. Jose Benito A. Alonso	Vice-Governor/Presiding Officer
Hon. Laurence Marxlen J. de la Cruz	Member - 1 <sup>st</sup> District
Hon. Araceli T. Somosa	Member - 1 <sup>st</sup> District
Hon. Arthur Christopher D. Marañon	Member - 2 <sup>nd</sup> District
Hon. Hope Marey B. Depasucat	Member - 3 <sup>rd</sup> District
Hon. Patricia Paula M. Alonso-Valderrama	Member - 4 <sup>th</sup> District
Hon. Nicholas M. Yulo	Member - 4 <sup>th</sup> District
Hon. Rita Angela S. Gatuslao	Member - 5 <sup>th</sup> District
Hon. Hadji P. Trojillo	Member - 5 <sup>th</sup> District
Hon. Jeffrey T. Tubola	Member - 6 <sup>th</sup> District
Hon. Richard Julius L. Sablan	Member - ABC Rep.
Hon. Mayvelyn L. Madrid	Member - SKF Rep.

ON OFFICIAL BUSINESS:

Hon. Sixto Teofilo Roxas V. Guanzon, Jr.	Member - 2 <sup>nd</sup> District
Hon. Andrew Gerard L. Montelibano	Member - 3 <sup>rd</sup> District
Hon. Genaro G. Alvarez, IV	Member - 6 <sup>th</sup> District
Hon. Julius Martin D. Asistio	Member - PCL Rep.

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**RESOLUTION NO. 1085**  
Series of 2025

***RESOLUTION DENYING THE EX PARTE MOTION FOR RECONSIDERATION FILED BY THE COMPLAINANT IN ADMINISTRATIVE CASE NO. SP 2025-004 AC ENTITLED: RONA M. GAYONGA, COMPLAINANT-APPELLANT VERSUS HON. FRANCIS M. GELLANGARIN, RESPONDENT-APPELLEE***

Authored by:  
**Hon. Sixto Teofilo Roxas V. Guanzon, Jr.**  
Chairman, Committee on Laws

**WHEREAS**, the sangguniang panlalawigan issued a decision dated August 15, 2025 dismissing the appeal filed by the complainant-appellant in Administrative Case No. SP 2025-004 AC, entitled: Rona M. Gayonga, complainant-appellant versus Hon. Francis M. Gellangarin, respondent-appellee for violation of Civil Service Law, gross ignorance of the law, grave abuse of authority, conduct prejudicial to the public's interest, serious misconduct, inefficiency and incompetence in the performance of official duties and violation of R.A. No. 6713;

**WHEREAS**, an ex parte motion for reconsideration was filed by the complainant-appellant in the above entitled case citing grounds for the relaxation of procedural rules in this particular administrative case, to wit:

- 1) Existence of specific or compelling circumstances
- 2) Reasonable merits of the case
- 3) Cause not entirely attributable to the fault or negligence of the party favored by the suspension of the Rules





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**WHEREAS**, in her pleading the complainant-appellant cited DAR vs. Uy, GR NO. 169277-February 9, 2007, Justice Callejo where the court ruled that rules of procedures as a matter of course, are construed liberally in proceedings before Administrative Bodies. Thus, technical rules of procedure imposed in judicial proceedings are unavailing in cases before administrative bodies. Administrative bodies are not bound by technical niceties of law and procedural rules obtaining in the courts of law. Rules of procedure are not to be applied in a very rigid and technical manner as they are used only to secure and not to override substantial justice;

**WHEREAS**, in the same pleading, the complainant-appellant stated that she received a copy of the Resolution and Minutes of the proceedings both dated January 8, 2025 sometime on January 24, 2025. And then opted to file a Motion for Reconsideration on February 3, 2025 instead of filing an Appeal so as to avail other reliefs and remedies. That when her Motion for Reconsideration was filed, the City Council of Himamaylan failed to resolve it at a much earlier date in order to apply legal technicalities against her Motion to secure a dismissal and to prevent us from elevating our case earlier before the Province;

**WHEREAS**, upon thorough study on the context of the argument presented, the liberal interpretation of the rules and procedure is hereby invoked by the Appellant in order to facilitate the attainment of justice rather than frustration;

**WHEREAS**, it is a repetition of the previous argument that the dictum of the rules of procedure are no longer applicable in this matter. It is directed to assail the rules of procedure that have been set forth as a matter of guidelines that everyone should abide by and follow in order to have orderly proceedings of the administrative cases as a center of discussion, argument and further study;

**WHEREAS**, the ex parte motion for reconsideration is practically a rehash of the old argument, and therefore the rules of procedure must be strictly adhered to in order to maintain consistency in the observance of what has been set forth as a ground for procedural steps that must be religiously followed by the participating parties. It is well settled that the appeal filed beyond the lapse of period to appeal automatically extinguishes the validity of the appeal as it no longer carries the fundamentals of legal grounds to pursue, technically and legally and does not conform to the procedural prescription of the time elements as defined in the rules of procedure;

**WHEREAS**, there have been no valid grounds or new evidence presented, neither errors of law properly presented nor justified in accordance with Rule 14, Section 11 of Provincial Ordinance No. 2000-017, series of 2000, adopting rules of procedures on the appeals from the decisions on administrative disciplinary cases of the sanggunian of component cities and municipalities, to wit:

*SECTION 11. Motion for reconsideration. A motion for reconsideration may be filed within the period to appeal and shall be entertained only on errors of law or irregularities have been committed prejudicial to the interests of the movant.*

*Only one motion for reconsideration shall be allowed, which shall be decided within fifteen (15) days from date of submission for resolution. No other pleading shall be allowed other than the motion for reconsideration and opposition thereto.*



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*A motion for reconsideration shall not toll the running of the period to appeal and the movant has to perfect his appeal within the period to appeal, i.e., within thirty (30) days from receipt of the decision.*

*The motion for reconsideration shall be heard and evaluated by the Hearing Panel and shall submit his recommendation with the draft resolution /order to the Sangguniang Panlalawigan within ten (10) days from submission for resolution.*

*If the motion for reconsideration has not been resolved within the period to appeal, the same is deemed denied.*

*It is incumbent upon the movant to check with the Hearing Panel or the Office of the Sangguniang Panlalawigan the status of his motion for reconsideration and to perfect his appeal, in case the said motion has not been resolved within the period to appeal.*

**WHEREAS**, this august body strongly adheres to the cited provisions in the preceding paragraph;

**NOW THEREFORE**, on motion of Hon. Hope Marey B. Depasucat and unanimously seconded by all the members present,

**THE SANGGUNIANG PANLALAWIGAN RESOLVED**, as it hereby resolves, to deny the ex parte motion for reconsideration filed by the complainant in Administrative Case No. SP 2025-004 AC, entitled: Rona M. Gayonga, complainant-appellant versus Hon. Francis M. Gellangarin, respondent-appellee.

**ADOPTED UNANIMOUSLY.**

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:

  
**HON. JOSE BENITO A. ALONSO**  
Vice-Governor/Presiding Officer

ATTESTED:

  
**ATTY. MARI ANGEL O. ASCALON**  
Provincial Secretary