



REPUBLIC OF THE PHILIPPINES
SENATE ELECTORAL TRIBUNAL

REYMAR R. MANSILUNGAN,
Petitioner,

-versus-

SET Case No. 001-19

AQUILINO "KOKO" PIMENTEL III,
Respondent.

X-----X

EFREN A. ADAN,
Petitioner,

-versus-

SET Case No. 002-19

AQUILINO "KOKO" PIMENTEL III,
Respondent.

X-----X

RESOLUTION NO. 19 - 09

Rule 36, paragraph (a) of the 2013 Rules of the Senate Electoral Tribunal (2013 SET Rules)¹ requires each petitioner in *quo warranto* proceedings, such as in these cases, to pay a cash deposit in the amount of Ten Thousand Pesos (Php10,000.00), in addition to filing fees. Based on the records, petitioners Reyamar R. Mansilungan and Efren A. Adan each paid the required cash deposit within the prescribed period.²

¹ The pertinent portions of Rule 36 read:

Rule 36. *Cash Deposit.* - In addition to the fees prescribed in the preceding Rule, each protestant, counter or cross-protestant, or petitioner in *quo warranto* proceedings, shall make a cash deposit to the Tribunal in the amounts as follows:

a. In a petition for *quo warranto*, Ten Thousand (P10,000.00) Pesos to be paid within ten (10) days from the filing of the petition;

² As evidenced by Official Receipt Nos. 2183839 and 2183840, both dated 31 May 2019.


Rule 36 of the 2013 SET Rules likewise states the purpose of the cash deposit, that is, to pay for "all expenses not programmed into or provided for in the Tribunal's budget which may be necessary or incidental to the resolution and adjudication of the protest, counter or cross protest, or petition for *quo warranto*." The same Rule expressly provides that "[a]ny unused cash deposits shall be returned to the party or parties making the deposit after complete termination of the contest."³

The Decision, which dismissed these consolidated cases for lack of merit, became final and executory as to petitioner Efren A. Adan on 26 June 2020 and as to petitioner Reyamar R. Mansilungan on 13 October 2020.⁴ Considering the complete termination of these petitions for *quo warranto*, with no Tribunal expense necessitating the use of the cash deposits, the unused cash deposits should be returned to the petitioners pursuant to Rule 36 of the 2013 SET Rules.

WHEREFORE, the Tribunal resolves to **ORDER** the release of the unused cash deposits and to **DIRECT** the Financial Management Service to return the same to petitioners Reyamar R. Mansilungan and Efren A. Adan.

SO ORDERED.

13 May 2022.


ESTELA M. PERLAS-BERNABE
Senior Associate Justice
Chairperson

³ The pertinent portions of Rule 36 of the 2013 SET Rules read:

The cash deposits shall be applied to the payment of all expenses not programmed into or provided for in the Tribunal's budget which may be necessary or incidental to the resolution and adjudication of the protest, counter or cross protest, or petition for *quo warranto*, including, but not limited to, transportation and storage of the ballot boxes, and election documents and paraphernalia as well as the compensation of the Head Revisors/Head Correctors. Whenever the Tribunal determines that the circumstances so dictate, it may require additional cash deposits. Any unused cash deposits shall be returned to the party or parties making the deposit after complete termination of the contest.


The 2020 SET Rules, which took effect on 7 January 2021, retained, but slightly reworded, this provision. Rule 43 of the 2020 SET Rules pertinently reads:

x x x. Any unused cash deposit shall be returned to the party or parties who paid the same after complete termination of the protest, counter-protest or cross-protest, or petition for *quo warranto*. x x x.

⁴ As stated in the Entry of Judgment.

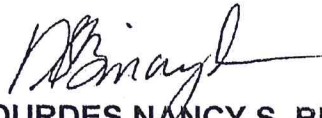


ALFREDO BENJAMIN S. CAGUIOA
Associate Justice
Member



AMY C. LAZARO-JAVIER
Associate Justice
Member

RICHARD J. GORDON
Senator
Member




MARIA LOURDES NANCY S. BINAY
Senator
Member



PIA S. CAYETANO
Senator
Member

EMMANUEL "MANNY" D. PACQUIAO
Senator
Member



RISA HONTIVEROS
Senator
Member

MANUEL "LITO" M. LAPID
Senator
Member