



Republic of the Philippines  
Province of Davao Oriental  
**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**  
SP Complex, Government Center, Dahican  
CITY OF MATI



EXCERPTS FROM THE MINUTES OF THE 119<sup>TH</sup> REGULAR SESSION OF THE 17<sup>TH</sup> SANGGUNIANG PANLALAWIGAN OF DAVAO ORIENTAL HELD ON WEDNESDAY, OCTOBER 9, 2024, AT THE CITY OF MATI, THIS PROVINCE.

**PRESENT:**

Hon. Nelson R. Dayanghirang, Jr. Vice Governor – Presiding Officer

**Regular Members:**

**District I**

Hon. Anna Cheryl N. Castro  
Hon. Art Benjie C. Bulaong  
Hon. Marietta D. Palmera  
Hon. Andy A. Monday

**District II**

Hon. Harold A. Montes  
Hon. Rotchie M. Ravelo  
Hon. Daud V. Linsag

**Ex-Officio Members:**

Hon. Joselito B. Villademoso	President, Philippine Councilors League (PCL) - Davao Oriental Chapter
Hon. Jossone Michael G. Dayanghirang	President, Liga Ng Mga Barangay (LNB) Davao Oriental Chapter
Hon. Shanine C. Lintogonan	Sangguniang Kabataan Provincial Federation President (SKPFP)

**ABSENT:**

Hon. Shella Marie S. Go	SP Member, District II
Hon. Stephen Paul L. Uy	SP Member, District II - OB - City of Mati
Hon. Michelle M. Centeno	SP Member, District I
Hon. Eleuterio C. Manaytay	Indigenous Peoples Mandatory Representative (IPMR) - OB - Davao City

**RESOLUTION NO. 17-1076-10-2024**

Author : Hon. Art Benjie C. Bulaong  
Sponsor : Hon. Harold A. Montes

**A RESOLUTION EXPRESSING THE INTENT OF THE SANGGUNIANG PANLALAWIGAN OF DAVAO ORIENTAL TO FILE AN APPEAL ON THE DECISION AND DENIAL OF THE MOTION FOR RECONSIDERATION IN CIVIL CASE NO. 2576-24.**

**WHEREAS**, the Sangguniang Panlalawigan of Davao Oriental, as the Legislative Body of the province, is mandated to protect the legal and financial interests of the provincial government and ensure compliance with all applicable laws, including the provisions of Republic Act No. 7160, otherwise known as the Local Government Code of 1991;

**WHEREAS**, in Civil Case No. 2576-24, a decision was rendered on July 17, 2024, by the Regional Trial Court of Davao Oriental, granting the application for a writ of preliminary mandatory injunction, which the Sangguniang Panlalawigan finds to have been issued in disregard of the lawful actions taken by the Sangguniang Panlalawigan in exercising its powers to review municipal ordinances passed by the Sangguniang Bayan of Baganga, Davao Oriental;



**WHEREAS**, the Sangguniang Panlalawigan filed a Motion for Reconsideration, emphasizing the validity of its actions under Section 468(a)(1)(i) of Republic Act No. 7160 and its authority to invalidate municipal ordinances that do not comply with the prescribed legal requirements, which was denied by the same court in its order dated September 27, 2024;

**WHEREAS**, the Sangguniang Panlalawigan believes that the ruling of the court, both in its original decision and its denial of the Motion for Reconsideration, is erroneous, particularly in its interpretation of the powers of the Sangguniang Panlalawigan to declare the municipal ordinances of Baganga, Davao Oriental, as invalid due to lack of a qualified majority vote from all members of the Sangguniang Bayan of Baganga;

**WHEREAS**, the court's decision and the denial of the Motion for Reconsideration have significant implications for the operations and governance of local government units within the province, and it is in the best interest of the Provincial Government to file an appeal to ensure that the authority vested in the Sangguniang Panlalawigan by law is upheld;

**WHEREFORE**, on motion of SP Member Harold A. Montes, duly and jointly seconded by SP Members Rotchie M. Ravelo, Anna Cheryl N. Castro, Art Benjie C. Bulaong, Andy A. Monday, Daud V. Linsag, Shanine C. Lintogonan, and Joselito B. Villademoso, it was

**RESOLVED, as it is hereby resolved**, that the Sangguniang Panlalawigan of Davao Oriental hereby expresses its intent to file an appeal against both the decision of the Regional Trial Court of Davao Oriental, dated July 17, 2024, and the denial of the Motion for Reconsideration, dated September 27, 2024, in Civil Case No. 2576-24;

**RESOLVED FURTHER**, that the Sangguniang Panlalawigan maintains the authority granted to Atty. Jonathan Pantojan to file the necessary appeal to the Court of Appeals or other appropriate judicial body, and to take all necessary actions in the prosecution of said appeal;

**RESOLVED FINALLY**, that a copy of this resolution be furnished to the Office of the Provincial Governor, the Provincial Legal Officer, and other relevant offices for their information and appropriate action.

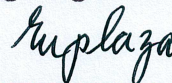
**CARRIED AND APPROVED.**

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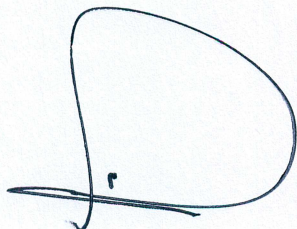
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**I hereby Certify to the Correctness  
of the foregoing Resolution.**



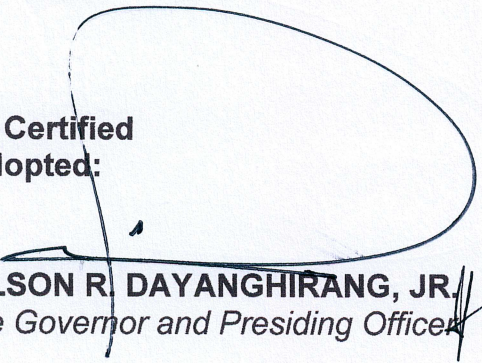
**EVANGELINE UY-PLAZA**

*Provincial Government Assistant Department Head  
Assistant Secretary to the Sangguniang Panlalawigan  
Acting Secretary*





**Attested and Certified  
to be duly Adopted:**



**NELSON R. DAYANGHIRANG, JR.**  
*Vice Governor and Presiding Officer*