

the party himself whether or not he is appearing on his own behalf, whichever is later. In all cases, the parties themselves shall be furnished with a copy of the decision, order or resolution.

**SECTION 10. Motion for Reconsideration.** — Within fifteen (15) days from receipt of notice of the order, resolution, or decision of the Board or Adjudicator, a party may move for reconsideration of such order, resolution, or decision on the grounds that:

- a. the findings of fact in the said decision, order, or resolution are not supported by substantial evidence; or
- b. the conclusions stated therein are contrary to law and jurisprudence.

The motion for reconsideration shall be filed together with proof of service of a copy thereof upon the adverse party.

Only one (1) Motion for Reconsideration shall be allowed for each party.

The filing of a Motion for Reconsideration shall interrupt the period to perfect an appeal. If the motion is denied, the aggrieved party shall have a period of fifteen (15) days reckoned from the receipt of the notice of denial.

## RULE XI

### Motions in General

**SECTION 1. Motion Defined** — Every application for relief, other than by principal pleadings.

**SECTION 2. Form.** — All motions shall be in writing, except those made in the course of a hearing or trial.

**SECTION 3. Contents.** — A motion shall state the relief sought and the grounds upon which it is based and, if necessary, shall be accompanied by supporting affidavits and documents.

**SECTION 4. Notice.** — A copy of the motion together with copies of supporting affidavits or documents shall be served by the movant upon all parties and counsels concerned, at least three (3) days before the hearing thereof.

The Adjudicator or the Board may, however, hear a motion on shorter notice upon good cause, especially on matters, which may be disposed of *motu proprio*.

**SECTION 5. Proof of Service.** — No motion shall be acted upon by the Adjudicator or by the Board without proof of service thereof except when he/it is satisfied that the rights of the adverse party are not affected.

**SECTION 6. Expeditious Resolution of Motions.** — All motions shall be resolved within a reasonable period from its submission for resolution. The same shall be considered submitted for resolution upon the filing of the last pleading supporting or opposing the motion. Any motion for reconsideration of an interlocutory order shall be filed within fifteen (15) days from receipt thereof.

**SECTION 7. Non-allowable Motions.** — The following motions shall not be allowed:

- a. Motion to declare defendant or respondent in default or for a default judgment;
- b. All other motions filed before an Answer, except Motions to Dismiss on the ground of prescription, lack of jurisdiction or failure to state a cause of action, improper venue or when there is another action pending between the same parties for the same cause or where the cause of action is barred by a prior judgment;
- c. Motion for extension of time to file an appeal, motion for reconsideration, or appeal memorandum.

## **RULE XII**

### **Intervention**

**SECTION 1. Who May Intervene.** — A person who has a legal interest on the matter in litigation, or in the success of either of the parties or an interest against both, or has a substantial right or interest in the subject matter of the case before the Adjudicator or Board, may be allowed to intervene in the action by filing a pleading-in-intervention.

In case where the Board or the Adjudicator has competent jurisdiction, agrarian reform beneficiaries or identified beneficiaries and/or their associations shall have legal standing and interest to intervene concerning their individual or collective rights and/or interests under the CARP.

The fact of non-registration of such associations with the Securities and Exchange Commissions, or Cooperative Development Authority, or any concerned government agency shall not be used against them to deny the existence of their legal standing and interest in a case filed before such courts and quasi-judicial bodies.

**SECTION 2. Time to Intervene.** — A person desiring to intervene may, before judgment by the Adjudicator or the Board, file a motion for leave to intervene attaching the pleading-in-intervention with notice upon all the parties to the action.

In allowing or disallowing a motion for leave to intervene, the Adjudicator or the Board shall consider if the intervention will unduly delay or prejudice the adjudication of the rights of the original parties or if the intervenor's right may be fully protected in a separate proceeding.

**SECTION 3. Answer-in-Intervention.** — The answer-in-intervention shall be filed within fifteen (15) days from notice of the order allowing the intervention, unless a different period is fixed by the Adjudicator or the Board.

## **RULE XIII**

### **Decisions/Resolutions/Final Orders**

**SECTION 1. Decisions/Resolutions/Final Orders.** — The decisions/resolutions/ final orders of the Adjudicator shall be in writing, prepared and signed by him and filed with the Regional or Provincial Clerk of the Adjudicator. It shall clearly and