Supreme Court E-Library

FIRST DIVISION

[G.R. No. L-43665. July 30, 1979]

AMPARO S. JACOBA, *petitioner, vs.* **WORKMEN'S COMPENSATION COMMISSION AND THE REPUBLIC OF THE PHILIPPINES (BUREAU OF PUBLIC SCHOOLS) represented by the SOLICITOR GENERAL,** *respondents.*

SYLLABUS

LABOR AND SOCIAL LEGISLATIONS; WORKMENS' COMPENSATION COMMISSION; AWARD; THE COMMISION CANNOT REDUCE THE AWARD OF THE REGIONAL OFFICE WHEN SUCH AWARD WAS BASED ON PROPER RECEIPTS.— The Workmen's Compensation Commission reduced the award on the basis of the findings of the Chief of the Evaluation Commission of said Commission. There is no explanation, however, why the award was reduced. It is not disputed that the illness of the petitioner is compensable and she is entitled to the reimbursement of her medical expenses. There is a showing that the Hearing Unit of Regional Office No. 10 at Zamboanga City awarded the amount of ₱1,999.66 on the basis of the evaluation of Dr. Romulo P. Montecillo, the Compensation Rating Officer of the herein Unit. There is also a showing that the award was based on proper receipts presented by the petitioner.

APPEARANCES OF COUNSEL

Felix N. Bello, Jr. for petitioner.

Acting Solicitor General Hugo E. Gutierrez, Jr., Assistant Solicitor General Eulogio Raquel-Santos and *Trial Attorney Erlinda B. Masakayan* for respondents.

D E C I S I O N

FERNANDEZ, *J.*:

This is a petition for review of the order of the Workmen's Compensation Commission in RO9-WC Case No. 172-75 entitled

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"*Amparo S. Jacoba, Claimant, versus, Republic of the Philippines (Bureau of Public Schools), Respondent*" reducing the award for reimbursement of medical expenses from ₱1,999.66 to only ₱596.30.[1]

The petitioner is a public school teacher stationed at Siasi, Sulu. In the course of her employment, she contracted an illness allegedly caused by her work as teacher. By reason of her illness, petitioner was confined in the hospital during vacation time. Hence, there was no interruption in her actual teaching job during the regular school year. She was able to continue teaching.

According to the report of the Division Committee on Workmen's Compensation cases of the Bureau of Public Schools, Division of Sulu, dated February 20, 1975, the petitioner was afflicted with a work-connected illness.[2]

The petitioner filed a claim with the Regional Office No. 10 at Zamboanga City for reimbursement of medical expenses. After hearing, said unit rendered an award dated December 9, 1975 ordering the respondent, Bureau of Public Schools, to reimburse the petitioner the amount of ₱1,999.66.

The respondent appealed to the Workmen's Compensation Commission which reduced the award to ₱596.30.

The contention of the petitioner that the decision of the Hearing Unit of Regional Office No. 10 of Zamboanga City has become final, has no merit. The record shows that the respondent, Republic of the Philippines (Bureau of Public Schools), seasonably filed a motion for reconsideration. A copy of said motion for reconsideration was sent by registered mail on January 21, 1976 to the petitioner.

The Workmen's Compensation Commission reduced the award on the basis of the findings of the Chief of the Evaluation Commission of said Commission. There is no explanation,

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[1] Annex "A", *Rollo*, pp. 6-7.

[2] *Ibid.*, *Rollo*, pp. 6-7.

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however, why the award was reduced. It is not disputed that the illness of the petitioner is compensable and she is entitled to the reimbursement of her medical expenses. Thus the Workmen's Compensation Commission said:

"We find no merit in respondent's contention because, in the instant case, the claimant was afflicted with a work-connected illness, per Report of the Division Committee on Workmen's Compensation cases of the Bureau of Public Schools, Division of Sulu, dated February 20, 1975, attached to the records, and that, by virtue of her illness, she was confined in the hospital, but only that it was during vacation time, as found by the hearing unit, hence, there was no interruption on in her actual teaching job during the regular school year and she was able to continue teaching; thus the finding of the hearing unit which awarded her no disability benefit. But the fact remains that she incurred medical expenses for her illness, which was medically evaluated as afore-stated. We see, therefore, no incompatibility to the unit's awarding her reimbursement of medical expenses for if such expenses are incurred that becomes a reimbursable amount under the law. The case of *Alatco vs. WCC, et. al.*, and other pertinent decisions of the Supreme Court give support to the stand of this Commission that reimbursement of medical expenses is allowable despite the fact that no disability compensation benefit is granted. x x x"[3]

There is a showing that the Hearing Unit of Regional Office No. 10 at Zamboanga City awarded the amount of ₱1,999.66 on the basis of the evaluation of Dr. Romulo P. Montecillo, the Compensation Rating Officer of the herein Unit. There is also a showing that the award was based on proper receipts presented by the petitioner.

The award of ₱1,999.66 appears to be reasonable.

WHEREFORE, the order of the Workmen's Compensation Commission dated March 3, 1976 sought to be reviewed is hereby set aside and the respondent, Republic of the Philippines (Bureau of Public Schools), is ordered to pay the petitioner the sum of One Thousand Nine Hundred Ninety-Nine Pesos and Sixty-Six Centavos (₱1,999.66) as evaluated by the Rating Medical Officer of Regional Office No. 10 at Zamboanga City.

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[3] *Rollo*, pp. 6-7.

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SO ORDERED.

Teehankee (Chairman), Makasiar, Guerrero, De Castro, and *Melencio-Herrera, JJ.*, concur.

FIRST DIVISION

[G.R. Nos. L-43955-56. July 30, 1979]

RENATO LAZATIN alias RENATO STA. CLARA, *petitioner, vs.* **HONORABLE JUDGE JOSE C. CAMPOS, JR., NORA L. DE LEON, BERNARDO DE LEON, ARLENE DE LEON and IRMA L. VELOSO,** *respondents.*

SYLLABUS

1. **REMEDIAL LAW; SPECIAL PROCEEDINGS; ADOPTION; DEFINED AND DISCUSSED.**— Adoption is a juridical act, a proceeding *in rem*, which creates between two persons a relationship similar to that which results from legitimate paternity and filiation. Only an adoption made through the court, or in pursuance with the procedure laid down under Rule 99 of the Rules of Court is valid in this jurisdiction. It is not of natural law at all, but is wholly and entirely artificial. To establish the relation, the statutory requirements must be strictly carried out, otherwise, the adoption is an absolute nullity. The fact of adoption is never presumed, but must be affirmatively proved by the person claiming its existence. The destruction by fire of a public building in which the adoption papers would have been filed if existent does not give rise to a presumption of adoption nor is the destruction of the records of an adoption proceeding to be presumed. On the contrary, the absence of a record of adoption has been said to evolve a presumption of its non-existence. Where, under the provisions of the statute, an adoption is effected by a court order, the records of such court constitute the evidence by which such adoption may be established.