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Northern Motors, Inc. is entitled to the entire proceeds without deduction of the expenses of execution.

WHEREFORE, private respondents' motion for reconsideration is denied and petitioner's motion for partial reconsideration is granted. The resolution of August 29, 1975 is modified in the sense that the lower court's orders of January 3 and 6, 1975, cancelling the indemnity bond for ₱240,000 (as reaffirmed in its order of January 17, 1975), are set aside. The said indemnity bond for ₱240,000 is regarded as in full force and effect. Respondent Sheriff of Manila is further directed to deliver to Northern Motors, Inc. the entire proceeds of the execution sale held on December 18, 1974 for the eight taxicabs which were mortgaged to that firm.

SO ORDERED.

Makalintal, C.J. Teehankee, Makasiar, Antonio, Esguerra, Muñoz Palma, Concepcion, Jr., and *Martin, JJ.*, concur.

Castro, Fernando and *Barredo JJ.*, took no part.

FIRST DIVISION

[G.R. No. L-32120. December 17, 1975]

GERTRUDES I. VDA. DE OLIB, in her own behalf and in behalf of her minor children, namely, ROLANDO, VIRGILIO, VIRGINIA, CRISTINA, RODOLFO, NUNILON, JR. and OLIVIA, all surnamed OLIB, *petitioners, vs.* **CITY OF MANILA, WORKMEN'S COMPENSATION COMMISSION AND REPUBLIC OF THE PHILIPPINES (Department of Education and Culture and Bureau of Public Schools),** *respondents.*

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SYLLABUS

LABOR AND SOCIAL LEGISLATION; WORKMEN'S COMPENSATION; COMPENSATION CASE SHALL BE RESOLVED WITHOUT REGARD TO TECHNICALITIES.— The hearing, investigation and determination of any question or controversy in workmen's compensation cases shall be without regard to technicalities legal forms and technical rules on evidence. Substantial evidence, whenever necessary, shall be sufficient to support a decision, order or award. (Sec. 7-A) Workmen's Compensation Act.

APPEARANCES OF COUNSEL

Pico & Abrogena for petitioners.

Gregorio A. Ejercito for respondent City of Manila.

Solicitor General Estelito P. Mendoza, Assistant Solicitor General Jose F. Racela, Jr. and *Solicitor Josefina D. de Leon* for respondent Republic of the Philippines, etc.

D E C I S I O N

TEEHANKEE, *J.*:

As noted in our Resolution of November 12, 1975, petitioners appear to have a valid claim for compensation arising from the death on June 22, 1961 of the deceased Nunilon Olib, a janitor-watchman at the Mapa High School, for tetanus as a result of a wound inflicted during the discharge of his duties at the school building, but their counsel filed the claim against the wrong party, the City of Manila, rather than against the national government (the Bureau of Public Schools under the Department of Education and Culture).

The Court accordingly upheld respondent commission's setting aside of the original award of September 9, 1966 by Regional Office No. 3 but in the interest of justice and so as not to unduly delay the final disposition of the claim, ordered that "the Republic of the Philippines, specifically the Bureau of Public Schools and the Department of Education and Culture be

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impleaded as respondents against the claim and that they state their stand with regard thereto through the Solicitor General."

The Solicitor General on behalf of respondent national government filed with commendable dispatch their comment of November 28, 1975 recognizing the compensability of the deceased's death. Correctly invoking the mandate of the Workmen's Compensation Act (section 7-A) that "the hearing, investigation and determination of any question or controversy in workmen's compensation cases shall be without regard to technicalities, legal forms and technical rules on evidence. Substantial evidence, whenever necessary, shall be sufficient to support a decision, order or award," and in consonance with the rule's fundamental objective of the promotion of substantial justice and equity (Rule 28, section 1 of the Commission rules), the Solicitor General expressly "offers no objection to the enforcement of the award granted in favor of herein claimants against the National Government, specifically the Department of Education and Culture."

The record shows that the original decision and award of September 9, 1966 of the Manila regional office of the Workmen's Compensation Commission found that the employer's liability was as follows:

"1. To pay the claimant, Gertrudes Vda. de Olib, thru this Office, the amount of FOUR THOUSAND (₱4,000.00) PESOS, as death compensation benefits;

"2. To reimburse the claimant-widow, also thru this Office, the amount of TWO HUNDRED (₱200.00) PESOS, as burial expenses;

"3. To pay claimant's legal counsel, Atty. Francisco Pico, the amount of TWO HUNDRED (₱200.00) PESOS, as attorney's fee; and

"4. To pay this Office the amount of FORTY-ONE (₱41.00) PESOS, as fee, pursuant to Section 55 of the Act, as amended."

ACCORDINGLY, respondent Republic of the Philippines, specifically the Department of Education and Culture, as employer of the deceased Nunilon Olib is hereby adjudged liable to pay

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the above-quoted award and in view of its express acceptance of its liability therefor, is enjoined to satisfy the same forthwith upon receipt of this decision.

Makasiar, Esguerra, Muñoz Palma, and *Martin, JJ.*, concur.

FIRST DIVISION

[G.R. No. L-34501. December 17, 1975]

REPUBLIC OF THE PHILIPPINES, *petitioner, vs.* **HON. ABRAHAM P. VERA, as Judge of the Court of First Instance of Bataan, Branch I, EVELYN M. EUGENIO and ELIZABETH M. EUGENIO,** *respondents.*

SYLLABUS

1. **CIVIL LAW; LAND REGISTRATION; CADASTRAL PROCEEDINGS PERIOD WITHIN WHICH PROCEEDINGS MAY BE REOPENED.** — The period of five years within which to reopen cadastral proceedings counted from June 20, 1953, under Republic Act 931, was extended up to *December 31, 1968,* under Section 2 of Republic Act 2061 which took effect on June 13, 1958. The time limit for filing of applications for free patents and for the judicial confirmation of imperfect or incomplete titles provided for in Republic Act 2061 (which is up to December 31, 1968) was extended up to December 31, 1976 by Republic Act No. 6236, but it is petently noticeable that the *time limit for the reopening of judicial proceedings on parcels of land declared public land (cadastral proceedings) ended on December 31, 1968, and was not extended by the provision of Republic Act 6236.*

2. **ID.; ID.; ID.; ID.; FAILURE TO FILE ACTION FOR REOPENING WITHIN THE PRESCRIBED PERIOD IS FATAL.** — A petition for the reopening of cadastral proceedings filed on February