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FIRST DIVISION

[G.R. No. L-43534. September 30, 1976]

JUAN LOPEZ MANANSALA, *petitioner, vs.* **WORKMEN'S COMPENSATION COMMISSION, REPUBLIC OF THE PHILIPPINES (Department of Agriculture and Natural Resources, Bureau of Soils),** *respondents.*

SYLLABUS

LABOR AND SOCIAL LEGISLATION; WORKMEN'S COMPENSATION COMMISSION; WHERE IT OVERLOOKED AND MADE NO AWARD OF DULY SUBSTANTIATED MEDICAL EXPENSES, THE COURT MAY ORDER THE SAME TO BE AWARDED WITHOUT FURTHER PROCEEDINGS.— The Court considers such further proceedings as unnecessary. Since the medical expenses for treatment of petitioner's PTB in the sum of ₱3,126.00 was duly substantiated by the testimony of Dr. Remedios Medina at the August 7, 1974 hearing held for the purpose and the same was not questioned nor disputed by respondent, consistently with its previous official stand expressing complete agreement with the reasonableness thereof, the commission's oversight in failing to order the reimbursement of said amount should be forthwith corrected without further ado.

APPEARANCES OF COUNSEL

Oliver V. Gesmundo for petitioner.

Solicitor General Estelito P. Mendoza, Assistant Solicitor General Santiago M. Kapunan and Solicitor *Diosdado Saavedra* for respondent.

DECISION

TEEHANKEE, *J.*:

The Court renders judgment granting without any further proceeding additional reimbursement for medical expenses duly

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substantiated by petitioner at the hearing previously ordered for the purpose by the Court but inadvertently overlooked by the commission in its decision.

This is the second time that petitioner's claim for reimbursement of medical expenses in the total amount of P6,285.60 for the treatment of peptic ulcer and tuberculosis contracted in the course of his employment in connection with his admittedly valid and non-controverted claim for disability compensation has reached this Court.

In the Court's first decision of May 30, 1974,[1] the Court through the now Chief Justice, set aside respondent commission's denial of petitioner's claim for reimbursement and ordered the case "remanded to the said commission for reception of the petitioner's proof of the medical expenses incurred by him," citing the Solicitor General's Office's written indorsement "expressing complete agreement with the reasonableness of the petitioner's medical expenses" and emphasizing that "the Workmen's Compensation Act was designed to give relief to the workman x x x and secure him and his dependents against becoming the object of charity by giving him a reasonable compensation, and that pursuant to these objectives the Act must be liberally construed in favor of the workman and his dependents."

Respondent commission accordingly received petitioner's evidence at the hearing held on August 7, 1974 for the purpose. Petitioner presented Dr. Remedios Medina, who according to the Solicitor General's comment filed on behalf of respondent Republic, "testified that petitioner (claimant) was a patient of Dr. Juan L. Custodio at his clinic in Baclaran, Parañaque, Rizal; that Dr. Custodio later on went to reside in the United States and so she became the physician-in-charge of Dr. Custodio's clinic; and that she had occasion to treat petitioner. She identified the certification dated May 24, 1971 of Dr. Juan L. Custodio to the effect that petitioner spent a total amount of ₱3,126.00

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[1] *Manansala vs. Republic,* L-38184, 57 SCRA 231, 234.

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as medical expenses for the treatment of his chronic PTB minimal."

As to the balance of ₱3,159.50 for treatment of petitioner's peptic ulcer in accordance with the certification of Dr. Sisenando Porte, who had transferred to Davao City, (as officer in charge of the National Mental Hospital Extension there) the commission granted petitioner's request to take the doctor's deposition upon written interrogatories by its Davao regional office.

Up to the date of its decision under question of March 8, 1976, the regional office failed to take the deposition, and the commission, ruling that "(S)ince the life of the Commission is about to end and there is no more time to wait for the desired deposition, the Commission, in fairness to the claimant who should not suffer by the inaction of the Regional Office and for the better interests of justice, shall consider the certification by Dr. Sisenando Porte, claimant's attending physician, marked as Exhibit B and attached to his Manifestation as an exception to the requirement that the claim be supported with official receipts or substantiated by the attending physician, and as sufficient evidence to support the claim," rendered its decision ordering respondent to pay petitioner the sum of ₱3,159.50 as reimbursement of medical expenses for his peptic ulcer,[2] but completely overlooked and made no award for reimbursement of the duly substantiated medical expenses of petitioner for treatment of his chronic PTB without stating any reason therefor.

Hence, the present petition (since no motion for reconsideration is permitted under Department of Labor Order No. 3 dated July 17, 1974 in implementation of LOI No. 190 dated June 3, 1974).

Required to comment, the Solicitor General on behalf of reconsideration admitted that "perhaps through oversight on the part of respondent Commission, there is nothing in its decision from which to infer whether petitioner is entitled to be reimbursed

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[2] Per the Solicitor's comment, this amount was already paid to petitioner by the Bureau of Soils on April 6, 1976.

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the amount of ₱3,126.00 as medical expenses based on the certification of Dr. Juan Custodio, Jr. which was adduced as evidence before the Commission. This mistake could have been due to the fact that the respondent Commission was in a hurry to dispose all its pending cases before its existence come to an end" and suggested that the case be remanded once again, this time to the Secretary of Labor as successor of the defunct WCC[3] for further proceedings.

The Court considers such further proceedings as unnecessary. Since the medical expenses for treatment of petitioner's PTB in the sum of ₱3,126.00 was duly substantiated by the testimony of Dr. Remedios Medina at the August 7, 1974 hearing held for the purpose and the same was not questioned nor disputed by respondent, consistently with its previous official stand expressing complete agreement with the reasonableness thereof, the commission's oversight in failing to order the reimbursement of said amount should be forthwith corrected without further ado.

ACCORDINGLY, judgment is hereby rendered ordering respondent Republic (Department of Agriculture and Natural Resources, Bureau of Soils) to pay petitioner the sum of THREE THOUSAND ONE HUNDRED TWENTY SIX PESOS (₱3,126.00) as additional reimbursement of his medical expenses.

Makasiar, Muñoz Palma, Concepcion, Jr., and *Martin, JJ.*, concur.

Concepcion, Jr., J., was designated to sit in the First Division.

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[3] Under P.D. No. 954, July, 6, 1976.