

**JACINTA J. RAMOS, PETITIONER, VS. REPUBLIC OF THE PHILIPPINES
(BUREAU OF CENSUS & STATISTICS) AND THE
WORKMEN'S COMPENSATION COMMISSION, RESPONDENTS.**

G.R. No. L-41949. February 27, 1976

Ponente: TEEHANKEE, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/11bae40e1df6/>

TEEHANKEE, J.:

The Court annuls respondent commission's decision reversing the referee's award of workmen's compensation benefits in favor of petitioner-claimant on the basic ground that the commission had no jurisdiction and authority to set aside an award that was already final and executory and had been duly endorsed for payment by the Government's counsel.

On July 25, 1974, respondent commission through its Acting Chief Referee issued its Award declaring petitioner's claim to be uncontroverted and ordering respondent Bureau of Census and Statistics to pay petitioner (a former proofreader) the sum of P6,000.00 as disability compensation (for neuro-circulatory asthenia with slight heart enlargement and hepatitis) with P61.00 administrative fee for the commission.

Respondent bureau was duly represented by the office of the Solicitor General through Assistant Solicitor General Octavio R. Ramirez and Trial Attorney Mario V. Andres. They received a copy of the Award on October 31, 1974 and the same became final and executory fifteen days later i.e. on November 15, 1974, since no motion for reconsideration or review by the commission was filed.

Respondent's counsel instead filed on November 14, 1974 a motion for clarification as to respondent's total liability under the Award, and on November 29, 1974, respondent commission through the Acting Chief of Section issued the clarifying Order, stating that respondent's liability was clearly limited to the maximum of P6,000.00 under sections 17 and 18 of the Workmen's Compensation Act for permanent partial and non-scheduled disabilities and declaring that "(I)nasmuch as the Award dated July 25, 1974 has already become final and executory, there being actually no substantial objection thereto specified in support of the motion, respondent is hereby directed to satisfy said Award."

Under date of December 6, 1974, respondent's counsel in their 1st Indorsement informed respondent of the said Award and Order and advised that "all the above amounts (referring to the P6,000.00 disability awarded [to claimant] as well as the P61.00 costs) may now be paid unless the records of that Bureau show legal impediments to the payment thereof."

Under date of January 23, 1975, long after the fifteen-day reglementary period for filing a motion to set aside award had lapsed on November 15, 1974, respondent bureau through the same counsel filed a motion to set aside award claiming that a timely controversion had been made by them on June 28, 1974 (counted from receipt on June 20, 1974 by the Solicitor General's office of the Notice and Claim for Compensation although concededly respondent bureau's earlier Notice of Controversion filed on June 20, 1974 had been filed "out of time"[1]) and invoking the right to a hearing.

Petitioner duly filed her Opposition of March 7, 1975 asserting the commission's loss of jurisdiction over the case except to enforce the final and executory award. And on May 26, 1975, the Hearing Officer found respondent's motion "not to be meritorious" but disregarding the finality of the award still elevated the record for review to the commission.

Under date of October 24, 1975, respondent commission, instead of just remanding the record for enforcement and execution of the Award since it was already final and executory, went beyond its jurisdiction and without stating any explanation or justification for its disregarding the finality of the Award, reviewed the case and relying on assertions and documents that had been merely submitted with respondent's motion to set aside the Award after the finality of the award, (to the effect that petitioner was absent without leave from March 16, 1972 to November 15, 1972 and was considered as resigned from the service effective January 3, 1973 pursuant to Letter of Instructions No. 14), rendered its decision that "there is valid ground to reverse the referee's decision and absolved respondent from any liability."

Hence, the petition at bar, which the Court, per its February 18, 1976 Resolution, has treated as a special civil action (after receipt of the Solicitor General's comment on behalf of respondent), and declared immediately submitted for decision.

Respondent commission's decision must be set aside for being null and void for lack of jurisdiction and authority on its part to set aside an award that was already final and executory and had even been duly endorsed for payment by the Government's counsel.

Since no appeal to the commission (by motion for reconsideration) had been filed within the fifteen-day reglementary period, the referee's Award became final and executory upon the expiration of said deadline.[2]

Even accepting arguendo respondent's assertion that its second controversion as filed on June 28, 1974 by its counsel should be deemed to have been timely made, still respondent as duly assisted by Government counsel must be deemed to have waived any right to a hearing since after their receipt on October 31, 1974 of the Award they did not assert their grounds for challenging the compensability of the claim (as set forth in their two controversions that they had earlier filed in June, 1974) and ask for a rehearing to receive their defenses against the claim nor did they move for reconsideration and review of the award. Instead, their counsel merely filed a motion for clarification of respondent's total liability under the Award, and having obtained the same to their satisfaction, duly advised respondent that payment of the final award was in order, thus reaffirming the compensability of the claim which was deemed admitted because it had not been seasonably controverted.[3] Under these circumstances, respondent's contention that the referee's award was "void" and "could be set aside at any time" (because it was allegedly deprived of its right to a hearing notwithstanding its timely controversion) is manifestly untenable.

When respondent belatedly filed on January 23, 1975 its Motion to set aside Award on the ground of timely controversion, respondent commission no longer had jurisdiction to act on the same. The award had long become final and executory, and the referee, in denying the motion, no longer had authority to elevate the record for the commission's review, as provided in cases of timely appeals[4] , but merely the ministerial duty to issue motu proprio or on motion of the claimant the writ of execution for enforcement of the award.[5]

The commission has invariably heretofore adhered strictly to the basic rule that the expiration of the reglementary period for reconsideration or review of an award deprives it of appellate jurisdiction to review or set aside the award by virtue of its having become final and executory. And it has been consistently sustained by this Court which has upheld the commission's rejections of appeals that were filed out of time on the ground that the questioned award or decision had become final and executory whether the late appellant be the

claimant-employee[6] or the employer.[7]

The commission's unexplained departure from this basic rule (which is grounded on considerations of public policy and sound practice that at the risk of occasional error, the judgment of courts and award of quasi-judicial agencies must become final at some definite date fixed by law) is difficult of comprehension and the Court is constrained to stress the obvious and state that this rule of finality is applicable indiscriminately to one and all and regardless of whether respondent employer be a public or private employer.

Accordingly, judgment is hereby rendered setting aside respondent commission's decision of October 24, 1975.

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

[1] Rollo, p. 37.

[2] Manila Trading & Supply Co., Inc. v. WCC, 38 SCRA 360 (1971).

[3] Malan Bros. Watchman Agency v. Conanan, 7 SCRA 856.

[4] Rule 15, section 4 of the Rules of the Workmen's Compensation Commission.

[5] Section 51, Workmen's Compensation Act, as amended, provides: "SEC. 51. Enforcement of award. - As soon as a decision, order or award has become final and executory, the Commission or the duly deputized official in the regional offices under the Department of Labor, as the case may be, shall motu proprio or on motion of the interested party, issue a writ of execution requiring the sheriff or the proper officer to whom it is directed to execute said decision, order or award, pursuant to Rule thirty-nine of the Rules of Court of the Philippines."

[6] See Visitation v. WCC and Red V Coconut Products, Ltd., 45 SCRA 265 (1972).

[7] See Chef Products, Inc. v. WCC, 55 SCRA 478.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.