

CATALINA V. VDA. DE LABUCA, PETITIONER, VS. WORKMEN'S COMPENSATION COMMISSION AND REPUBLIC OF THE PHILIPPINES (BUREAU OF PUBLIC SCHOOLS), RESPONDENTS.

G.R. No. L-44653. May 31, 1977

Ponente: MARTIN, J.

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MARTIN, J.:

Petition for review[1] of the decision of the Workmen's Compensation Commission which denied the grant of death compensation benefits to petitioner under the provisions of the Workmen's Compensation Act.

Petitioner, Catalina V. Vda. de Labuca, filed the present petition in her capacity as the widow of the late Domingo Labuca who has been employed by respondent Bureau of Public Schools as a public schoolteacher since 1938 up to the time of his death on March 6, 1973. It was during his employment that he was afflicted with pulmonary tuberculosis and which illness eventually led to his death. After his death, his widow, the petitioner herein filed a claim for death benefits with the Workmen's Compensation Unit of Regional Office No. VII which claim respondent Republic failed to controvert on time. After hearing the case on the merits, the Acting Referee issued an award in favor of petitioner, the dispositive portion of which reads:

"WHEREFORE, the respondent is hereby ordered to pay, through this Office, the following pecuniary obligations, to wit:

1. To claimant, in lump sum, the total amount of FIVE THOUSAND SEVEN HUNDRED NINETY FOUR and 76/100 (P5,794.76) PESOS (P4,680.00 as death benefits plus P914.76-reimbursable medical and hospital expenses plus P200.00-burial expenses equals P5,794.76) as death benefits;
2. To Atty. Uri al Leopando, the counsel who helped the claimant litigate this claim, the amount of TWO HUNDRED THIRTY FOUR (P234.00) PESOS, as attorney's fee; and
3. To this Office the amount of FORTY SEVEN (P47.00) PESOS, as administrative fee, pursuant to Section 55, Act No. 3428, as amended."

Respondent Bureau of Public Schools appealed the award of the Acting Referee to the respondent Workmen's Compensation Commission.

Upon review of the case, the respondent Commission sustained the compensability of the claim but disallowed the payment of benefits to petitioner on the ground that "(T)he records is bereft of such evidence to sustain the findings that she is the legal wife of the decedent. According to the respondent Commission the certificate of marriage issued by the Parish Priest of Lila, Bohol, attesting to the fact that they were married cannot be considered authentic document to prove filiation between the deceased and the herein claimant but only a proof of the solemnization of their marriage sacrament."

We cannot agree with the respondent Commission's ruling. Evidently, it lost sight of the presumption found in Section 5 of Rule 131[2] of the Rules of Court which stands in petitioner's favor. The deceased and petitioner

have lived together as husband and wife and during all the years of their married life they have several children who are now all of legal age. Undoubtedly existing jurisprudence[3] supports petitioner's cause. Even the Office of the Solicitor General has taken cognizance of this fact and accordingly recommended the affirmance of the Acting Referee's decision. Beside, aside from her own testimony[4] petitioner has submitted the certificate of marriage issued by the parish priest of Bohol attesting to the fact that she was legally married to the late Domingo Labuca. Said certificate is sufficient to prove the fact of marriage (Pugeda vs. Trias, supra, 4 SCRA 849, 855). Petitioner even presented the certificate of registration of her marriage issued by the Civil Register of Bohol when she filed her memorandum with this Court. She did not present this at the first instance because she thought that a certificate issued by the church is more credible than one issued by the civil authorities. On the other hand, respondent Republic (Bureau of Public Schools) has not disputed or presented any evidence to dispute petitioner's claim that she is the widow of the deceased. In fact, the Solicitor General's Office has recommended payment of benefits to petitioner. Indeed, as it has been aptly pointed out, the Workmen's Compensation Commission being a body not governed by the technical rules of evidence,[5] it should have acted favorably on petitioner's claim. It must be remembered that the Workmen's Compensation Act is a social legislation[6] intended to benefit the workingman or his dependent. In case of his death and in case of doubt, the same should be resolved in favor of the laborer and his dependents.[7] This policy finds greater cause in petitioner's case because she has been left without her source of support and in the pursuit of the present petition, she was compelled to litigate as a pauper.[8]

IN VIEW OF THE FOREGOING, the decision of the respondent Commission is hereby reversed and set aside and that of the Acting Referee modified, requiring respondent Republic of the Philippines (Bureau of Public Schools), to pay petitioner in lump sum the total amount of P6,000.00 as death compensation benefits; the amount of P914.76 as reimbursement for medical and hospital expenses and the amount of P200.00 for burial expenses; to Atty. Urial Leopando the amount of P600.00 as attorney's fees and to the proper office, the amount of P61.00 as administrative fee. Without pronouncement as to costs.

SO ORDERED.

Teehankee, (Chairman), Makasiar, Antonio, and Muñoz Palma, JJ., concur.

[1] Treated as a special civil action by resolution of this Court on November 22, 1976.

[2] Sec. 5. Disputable presumptions. - The following presumptions are satisfactory if uncontradicted but may be contradicted and overcome by other evidence:

x x x

(bb) That a man and a woman deporting themselves as husband and wife have entered into a lawful contract of marriage;

x x x

[3] Pugeda v. Trias, G.R. No. 16925, March 21, 1962.

[4] "Testimony by one of the parties to the marriage, or by one of the witnesses to the marriage, has been held to be admissible to prove the fact of marriage. The person who officiated at the solemnization is also competent to testify as an eyewitness to the fact of marriage." (55 C.J.S., p. 900).

[5] Section 1. (Rule 10). 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. (Rules of the Workmen's Compensation Commission).

[6] Bautista v. Murillo, G.R. No. 13374, January 21, 1962; Vicente v. WCC, G.R. No. 18241, December 27, 1963; Abana v. Quisumbing, G.R. No. 23498, March 27, 1968.

[7] Madrigal Shipping Co. v. Melad, G.R. No. 17362 & G.R. No. 17367-69, February 28, 1963.

[8] Rollo, p. 9.

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