

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

G.R. No. L-43572. June 30, 1977

Ponente: MAKASIAR, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/61ef4fd7d5c4/>

MAKASIAR, J.:

Petition for review on certiorari (treated as a special civil action by resolution of the Supreme Court dated July 12, 1976) of the decision of the respondent Workmen's Compensation Commission in, RO4WC-Case No. 166844, dated March 17, 1976, which affirmed the Order of the Acting Referee of the Department of Labor, Regional Office No. 4, Manila, dismissing the claim of the petitioner on the ground that the claim states no valid cause of action and that there is no evidence which would warrant the issuance of an award.

The decision of the respondent Commission narrates the facts of the case thus:

"In an Order dated October 14, 1975, this case was dismissed on the ground that the claim states no valid cause of action and neither is there any evidence on record which would warrant the issuance of an award. Claimant appealed, hence this review.

"We find on review that claimant was formerly employed as teacher since 1939 up to January 6, 1973 when she retired from the service. She was 61 years old at the time she retired. In her notice of sickness and claim for compensation she alleged that she suffered in 1972 illnesses of rheumatic heart disease, congestive heart failure, mitral insufficiency, eye disease, hypertension and nausea and general body pain on account of which she stopped working on January 8, 1972. Her service record however reveals that despite these ailments she remained employed and entitled to her regular salary until the date of her retirement effective January 6, 1973. There was therefore no disability nor impairment or loss of her earning capacity although she was allegedly suffering from the aforementioned diseases. When she ceased employment from respondent by virtue of her optional retirement she was already more than 60 years of age and considering that her alleged ailments occurred at this time of her life, and therefore must be attributable to her aging process, no complications having been proved to have set in nor evidence of any hospitalization or unpaid sick leaves prior to her retirement, we find no legal and factual basis for granting an award of disability compensation benefits under the law." (Pp. 19-20, rec.).

The respondent urges that the dismissal of the Workmen's Compensation Commission of the claim of petitioner was primarily based on its findings that as per service records of herein petitioner, she was employed and was receiving her regular salary until the date of her retirement on January 6, 1973; that the findings of the Commission are confirmed by the certification of the District Supervisor that petitioner was teaching Grade I class at the Sto. Tomas Central School up to her retirement; and that the Commission did not find any evidence in her records showing any hospitalization or of unpaid sick leave prior to her optional retirement.

It is an undisputed fact that petitioner, Catalina Evangelista, was employed as a public school teacher of the respondent Bureau of Public Schools since 1939 up to the time of her retirement on January 6, 1973 at age 61,

with a monthly salary of P316.00; that petitioner has been feeling the symptoms of general body pain, congestive heart failure, hypertension and eye disease; that sometime on October 5, 1972, petitioner suffered a mild hyper-tension attack, congestive heart failure and general body pain, on account of which she stopped working and went on sick leave until she retired on January 6, 1973.

The above facts are embodied in a Physician's Report of Dr. Enrico G. Recio, as well as the medical certificates issued by Dr. Alfonso Chan of the National Orthopedic Hospital.

Likewise, in the Employer's Report, the respondent Bureau of Public Schools signified its intention not to controvert the, right of claimant to compensation. It will be observed that in Items 20 & 21 of the Employer's Report, it states therein that the date when disability began was on October 5, 1972.

Considering the substantial evidence on record -- the Physician's Report, the Employer's Report, the medical certificates issued by her attending physicians, Dr. Alfonso Chan of the National Orthopedic Hospital, Quezon City, and Dr. Enrico G. Recio of Sto. Tomas Health Center, Batangas, and the sick leave application of the petitioner -- We believe that compensation benefits should be awarded to the claimant/petitioner.

It will be observed that physician's report of petitioner's illness contains all the facts obtaining. WE believe that the physician's report is the best evidence that petitioner can submit under the circumstances. For, under Section 23 of Act No. 3428, the Workmen's Compensation Act, as amended, provides thus:

"After receiving an injury or contracting sickness and during the period of his disability and rehabilitation, the laborer shall at reasonable times and places submit to examination by a duly qualified physician or surgeon and rehabilitation technician designated and paid by the employer or insurance carrier. The laborer shall be entitled to have a physician or surgeon and rehabilitation technician designated by himself at such examination. x x"

As above intimated, the Bureau of Public Schools, claimant's employer, chose not to controvert her claim, thus waiving all non-jurisdictional defenses.

Furthermore, the respondent employer has not destroyed the presumption of compensability. In the case of Industrial Textile Manufacturing Company of the Philippines vs. Reyes Corp. (L-21969, Aug. 31, 1966, 17 SCRA 1104, 1109), the Supreme Court held:

"At any rate, the law presumes, in the absence of substantial evidence to the contrary, that the claim is compensable. The burden to disconnect by substantial evidence the injury or sickness from employment, is laid at the employer's door. So rigid is the rule that even where the cause of the employee's death is unknown -- as petitioners claim -- the right to compensate subsists. Reason for this is that the Workmen's Compensation Act is a social (legislation; it is designed to give relief to the workmen; therefore, to effectuate its purpose, it must be liberally construed" (Citing Sec. 44[1], Workmen's Compensation Act; Vda. de Acosta, et al., vs. Workmen's Compensation Commission, et al., L.19772, Oct. 31, 1964, 12 SCRA 168, 173).

WHEREFORE, THE DECISION OF THE RESPONDENT WORKMEN'S COMPENSATION COMMISSION IS HEREBY SET ASIDE AND THE RESPONDENT BUREAU OF PUBLIC SCHOOL IS HEREBY DIRECTED TO PAY:

A. THE CLAIMANT [1] THE SUM OF SIX THOUSAND (P6,000.00) PESOS AS DISABILITY COMPENSATION; AND [2] HER EXPENSES FOR MEDICAL, SURGICAL AND HOSPITAL SERVICES SUPPORTED BY PROPER RECEIPTS;

B. CLAIMANT'S COUNSEL THE AMOUNT OF SIX HUNDRED (P600.00) AS ATTORNEY'S FEES; AND

C. THE WORKMEN'S COMPENSATION COMMISSION THE SUM OF SIXTY-ONE (P61.00) AS

ADMINISTRATIVE FEE.

SO ORDERED.

Teehankee, (Chairman), Muñoz Palma, Martin, Fernandez, and Guerrero, JJ., concur.

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.