

PEDRO BALDEBRIN, PETITIONER, VS. WORKMEN'S COMPENSATION COMMISSION AND THE BUREAU OF LANDS, RESPONDENTS.

G.R. No. L-43792. October 12, 1984

Ponente: RELOVA, J.

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RELOVA, J.:

Petition for review of the decision of the respondent Workmen's Compensation Commission denying the award of compensation benefits in the amount of P2,446.02, attorney's fees and administrative costs.

Petitioner Pedro O. Baldebrin was employed as "Computer" in the Bureau of Lands with a monthly salary of P245.00. On April 21, 1970, which was a Friday, he figured in an accident when he was going home from his official station at Pagadian City to his place of residence at Aurora, Zamboanga del Sur "in which accident his left eye was hit by a pebble while he was riding in a bus. The accident happened in the municipality of Tukuran, Zamboanga del Sur." (p. 6, Rollo)

In the investigation conducted by the Workmen's Compensation Unit, petitioner was found to have gone on several leaves of absence totalling 128 days, due to his eye injury caused by the accident. When he returned to his job, the injury became worst to the extent that 50% use of his left eye was lost (per medical evaluation of Dr. Romulo P. Montecillo, Medical Rating Officer of the Workmen's Compensation Unit).

Upon the other hand, respondent Bureau of Lands failed to appear at the investigation, despite due notice. Hence, no evidence has been presented to contradict petitioner's contention.

Notwithstanding the recommendation of the Workmen's Compensation Unit that respondent Bureau of Lands pay -

"1. To the claimant thru this Unit, the total sum of TWO THOUSAND AND FOUR HUNDRED AND FORTY-SIX PESOS AND TWO CENTAVOS (P2,446.02) under Sections 14 and 17 of the Act;

2. To Atty. Fermente Dablo, Counsel for claimant, the sum of P122.30 as Attorney's fees under Section 31 of the Act; and

3. To the Commission thru this Unit, the sum of P25.00 as decision fee under Section 55 of the Act." (p. 8, Rollo)

respondent Commission absolved respondent Bureau of Lands from any liability.

Not satisfied with the decision of respondent Workmen's Compensation Commission, petitioner came to this Court on the main argument that a permanent partial disability on the loss of his left eye vision was due to the accident which occurred in the course of his employment.

The principal issue is whether petitioner's injury comes within the meaning of and intendment of the phrase

"arising out of and in the course of employment." (Section 2, Workmen's Compensation Act) In *Philippine Engineer's Syndicate, Inc. vs. Flora S. Martin and Workmen's Compensation Commission*, 4 SCRA 356, We held that "where an employee, after working hours, attempted to ride on the platform of a service truck of the company near his place of work, and, while thus attempting, slipped and fell to the ground and was run over by the truck, resulting in his death, the accident may be said to have arisen out of or in the course of employment, for which reason his death is compensable. The fact standing alone, that the truck was in motion when the employee boarded it, is insufficient to justify the conclusion that he had been notoriously negligent, where it does not appear that the truck was running at a great speed." And, in a later case, *Iloilo Dock & Engineering Co. vs. Workmen's Compensation Commission*, 26 SCRA 102, 103, We ruled that "[e]mployment includes not only the actual doing of the work, but a reasonable margin of time and space necessary to be used in passing to and from the place where the work is to be done. If the employee be injured while passing, with the express or implied consent of the employer, to or from his work by a way over the employer's premises, or over those of another in such proximity and relation as to be in practical effect a part of the employer's premises, the injury is one arising out of and in the course of the employment as much as though it had happened while the employee was engaged in his work at the place of its performance."

The facts in the case at bar are fundamentally the same with the above-cited cases. It is obvious that the Workmen's Compensation Act is basically a social legislation designed to afford relief to workmen and, therefore, it must be liberally construed, as have been in the cases already mentioned, to attain the purpose for which it was enacted.

ACCORDINGLY, the judgment of the respondent Commission is hereby reversed and set aside and the original award of the Workmen's Compensation Unit, revived and reinstated.

SO ORDERED.

Teehankee, Acting C.J., Melencio-Herrera, Gutierrez, Jr., and De la Fuente, JJ., concur.

Plana, J., no part.

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