

CARMEN CASTRO, ET AL., PLAINTIFFS AND APPELLANTS, VS. FRANCISCA SAGALES, DEFENDANT AND APPELLEE.

G.R. No. L-6359. December 29, 1953

Ponente: BENGZON, J.

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BENGZON, J.:

Appeal from an order of Hon. Jesus Y. Perez of the Court of First Instance of Bulacan dismissing plaintiffs' complaint for workmen's compensation on the ground that the matter properly falls within the jurisdiction of the Workmen's Compensation Commission.

Republic Act No. 772 effective June 20, 1952 conferred upon the Workmen's Compensation Commissioner "exclusive jurisdiction" to hear and decide claims for compensation under the Workmen's Compensation Act, subject to appeal to this Supreme Court. Before the passage of said Act demands for compensation had to be submitted to the regular courts.

The fatal accident which befell Dioscoro Cruz, husband of plaintiff Carmen Cruz, having occurred in January 1952 and action having been commenced in the Court of First Instance of Bulacan in August, 1952, the resultant issue is the proper forum: either the courts or the Workmen's Compensation Commission.

For the appellants it is contended that the date of the accident, and not the date of filing the complaint, should be considered because the right to compensation of the laborer or employees or his dependents, like the obligation of the employer to pay the same, begins from the very moment of the accident.

It is true that the right arises from the moment of the accident, but such right must be declared or confirmed by the government agency empowered by law to make the declaration. If at the time the petition for such declaration is addressed to the court, the latter has no longer authority to do so, obviously it has no power to entertain the petition. Republic Act No. 772 is very clear that on and after June 20, 1952 all claims for compensation shall be decided exclusively by the Workmen's Compensation Commissioner, subject to appeal to the Supreme Court. This claim having been formulated for the first time in August, 1952 in the Court of First Instance of Bulacan, the latter had no jurisdiction, at that time, to act upon it. No constitutional objection may be interposed to the application of the law conferring jurisdiction upon the Commission, because the statute does not thereby operate retroactively; it is made to operate upon claims formulated after the law's approval. As attorney for appellee suggests, had the claim been filed before the effectivity of Republic Act No. 772 in a court of first instance, the question might be debatable whether such court should now continue hearing the matter or not. "A retrospective law, in a legal sense, is one which takes away or impairs vested rights acquired under existing laws, or creates a new obligation and imposes a new duty, or attaches a new disability, in respect of transactions or consideration already past. Hence, remedial statutes, or statutes relating to remedies or modes of procedure, which do not create new or take away vested rights, but only operate in furtherance of the remedy or confirmation of rights already existing, do not come within the legal conception of a retrospective law, or the general rule against the retrospective operation of statutes" (50 Am. Jur. p. 505).

A parallel situation is not far to seek. The right of the heirs to the decedent's estate begins from the moment of death. And yet it undoubtedly could be within the power of the Legislature to establish by law probate courts to take charge even of estates of persons who had died before its approval. The creation of the People's Court to try treason cases arising from acts committed during the Japanese occupation is another example of recent times.

It is argued that Republic Act No. 772 should not be enforced as to accidents happening before its approval, because it has introduced changes affecting vested rights of the parties. Without going into details, it might be admitted that changes as to substantive rights will not govern such "previous" accidents. Yet here we are dealing with remedies and jurisdiction which the Legislature has power to determine and apportion. And then it is hard to imagine how one litigant could acquire a vested right to be heard by one particular court, even before he has submitted himself to that particular court's jurisdiction.

In the United States actions pending in one court maybe validly taken away by statute and transferred to another (See 21 C. J. S., p. 148).

Wherefore, the appealed order is affirmed, without costs.

Paras, C. J., Pablo, Padilla, Tuason, Reyes, Jugo, Bautista Angelo and Labrador, JJ., concur.

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