

**LOURDES QUINTOS, LUTGARDA R. SALAZAR, ANGEL ENRIQUEZ,  
AND GABRIEL AGSAULIO, PETITIONERS, VS. REPUBLIC OF THE  
PHILIPPINES (DEPARTMENT OF HEALTH, AGRICULTURAL  
PRODUCTIVITY COMMISS...**

*G.R. Nos. L-46249-52. August 31, 1977*

Ponente: TEEHANKEE, J.

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**TEEHANKEE, J.:**

In this joint petition involving the separate claims of four government employees, the Court annuls respondent Workmen's Compensation Commission's decisions and reinstates the referees' awards of disability benefits on the fundamental ground of the commission's loss of jurisdiction and authority to set aside the awards that already became final and executory for lapse of the reglementary periods for appeal and for relief from judgment.

In RO4-WC Case No. 158288, the referee's decision of October 13, 1975 granted petitioner Lourdes C. Quintos' claim against the Department of Health in the sum of P5,702.29 as disability benefits (for pulmonary tuberculosis and other related illnesses which she contracted as public health nurse during her employment from 1955 until she was forced to stop working on January 8, 1974) and ordered respondent Republic to pay P285.11 as attorney's fees and P58.-administrative fee. Copy of the referee's decision was admittedly received by respondent through the Office of the Solicitor General on October 17, 1975. Respondent failed to appeal within the reglementary 15-day period "due to the volume and pressure of work" and belatedly filed only on January 14, 1976 its "Petition to Elevate Records for Relief from Judgment" much beyond the ultimate 30-day grace period from knowledge/notice of the decision allowed by the Commission Rules for the purpose.[1] The commission nevertheless rendered its decision dated January 19, 1976 reversing the referee's decision and dismissing the claim.

In RO4-WC Case No. 156437, the referee's decision of October 2, 1975 granted petitioner Lutgarda R. Salazar's claim against the Agricultural Productivity Commission in the sum of P6,000.00 as disability benefits (for coronary insufficiency contracted by her during her employment as home management specialist since 1952 until her illness forced her to stop working on June 29, 1970) and ordered respondent to pay P300.-attorney's fees and P61.-administrative fee. Respondent through the Office of the Solicitor General admittedly received the decision on October 17, 1975, but failed to appeal the same "due to the volume and pressure of work." It belatedly filed only on January 23, 1976 its petition for relief from judgment, way beyond the ultimate 30-day grace period for the purpose. The commission nevertheless rendered its decision dated February 12, 1976 reversing the referee's decisions and dismissing the claim.

In RO4-WC Case No. 155408, the referee's decision of October 15, 1975 granted petitioner Angel Enriquez's claim against the Bureau of Public Schools in the sum of P6,000.00 as disability benefits (for hypertension and bronchial asthma contracted by him during his employment as school dentist in the Public Schools Division of Ilocos Sur from July 27, 1947 until his illness forced him to stop working on September 30, 1973) and ordered

respondent to pay P300.-attorney's fees and P61.-administrative fee. Respondent through the Office of the Solicitor General admittedly received the decision on October 22, 1975 but failed to appeal the same "due to the volume and heavy pressure of work." It belatedly filed its petition for relief from judgment on December 23, 1975, way beyond the ultimate 30-day grace period for the purpose. The commission nevertheless rendered its decision dated January 30, 1976 reversing the referee's decision and dismissing the claim.

In RO4-WC Case No. 141720, the referee's decision of October 23, 1975 granted petitioner Gabriel Agsaulio's claim against the San Lazaro Hospital in the sum of P5,296.57 as disability benefits (for PTB and rheumatoid arthritis contracted by him during his employment since 1929 until his illness forced him to stop working on February 1, 1969) and ordered respondent to pay P264.82-attorney's fees and P53.-administrative fee. Respondent through the Office of the Solicitor General admittedly received the decision on October 28, 1975 but failed to appeal the same "due to the volume and pressure of work." It belatedly filed its petition for relief from judgment on December 23, 1975 beyond the ultimate 30-day grace period for the purpose. The commission nevertheless rendered its decision of February 2, 1976 reversing the referee's decision and dismissing the claim.

Hence, the petition at bar which must be granted, since the commission manifestly no longer had jurisdiction and authority to set aside the referees' decisions that became final and executory with the lapse of the statutory periods for appeal and for relief from judgment.

Respondent's contention that "the technical rules of procedure applied in judicial trials are to be strictly applied" to workmen's compensation proceedings is untenable since the statutory periods for appeal and for relief from judgment are not merely "technical rules of procedure."

As recently reaffirmed by us in *Soliven vs. Workmen's Compensation Commission*[2] it is settled doctrine that "(the) basic rule of finality of judgments is applicable indiscriminately to one and all and regardless of whether respondent employer be a public or private employer, since the rule is grounded on fundamental considerations of public policy and sound practice that at risk of occasional error, the judgment of courts and award of quasi-judicial agencies must become final at some definite date fixed by law," and "(I)t is of course beyond question that the perfection of an appeal within the statutory or reglementary period is mandatory and jurisdictional and that failure to so perfect an appeal renders final and executory the questioned decision and deprives the appellate court of juris-diction to entertain the appeal. The lapse of the appeal period deprives the courts of jurisdiction to alter the final judgment." [3]

In workmen's compensation cases, the 1973 Commission Rules granted expressly for the first time[4] an exception or "last chance" of a timely petition for relief from judgment that has become final and executory for lapse of the 15-day statutory period for appeal by providing for a further grace period (within 30 days from knowledge/notice of the decision-award and within 3 months from entry thereof). Yet, respondent failed to avail timely of this ultimate remedy.

As stated by us in *Soliven*, supra, prescinding from the validity or non-validity of the justification of "volume and pressure of work" advanced by respondent's counsel for seeking such relief, "considering the underlying purpose of the Workmen's Compensation Act to promote the expeditious disposition of workmen's compensation claims, the grace period granted for seeking relief from judgment must be taken as 'absolutely fixed, inextendible, never interrupted and cannot be subjected to any condition or contingency. Because the period fixed is itself devised to meet a condition or contingency, the equitable remedy is an act of grace, as it were, designed to give the aggrieved party another and last chance and failure to avail of such last chance within the grace period fixed is fatal.'" [5]

Respondent's counter-contention that the commission's adverse decisions must be deemed final in turn against

petitioners because of their failure to appeal therefrom and their filing of the present action of certiorari only after a lapse of about a year's time was likewise rejected by the Court in *Soliven*, supra. As therein stressed by us, petitioners are not called upon to appeal from the commission's adverse decisions reversing the final and executory awards in their favor since said decisions were null and void as the commission had no jurisdiction to set aside the referee's decision that had already long become final and executory. Petitioners could, as they have done, properly come to this Court by way of a special civil action of certiorari within the prescriptive period and have the commission's decisions set aside and declared as null and void for lack of jurisdiction and authority to render the same.

ACCORDINGLY, judgment is hereby rendered setting aside as null and void respondent commission's decisions and reinstating the referees' decisions in favor of the four petitioners. SO ORDERED.

Makasiar, Muñoz Palma, Martin, Fernandez, and Guerrero, JJ., concur.

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[1] Rule 22, sec. 3, WCC 1973 Revised Rules.

[2] L-44763, June 30, 1977 decided jointly with L-45381, *Eulogia Malijan vs. Republic*.

[3] Citing *Carreon vs. Workmen's Compensation Commission*, L-43112, and *Regala vs. Workmen's Compensation Commission*, L-43307, decided jointly, May 31, 1977.

[4] Cf. *Hoc Huat Trading vs. Santos*, 24 SCRA 441, 446 (1968) per Concepcion, C. J.

[5] Cit. *Luzon Stevedoring Corp. vs. Reyes*, 71 SCRA 655, 663 (June 30, 1976). See also *Martinez vs. Workmen's Compensation Commission*, 73 SCRA 271 (Sept. 30, 1976).

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