

VICTORIA VDA. DE BUNGKAS, ET AL., PETITIONERS, VS. NATIONAL WATERWORKS AND SEWERAGE AUTHORITY, RESPONDENT.

G.R. No. L-25572. June 22, 1968

Ponente: MAKALINTAL, J.

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MAKALINTAL, J.:

This case has been submitted for decision on the petition for review and the answer thereto, both parties having waived the filing of their respective briefs. The only issue is whether or not the cause of death of petitioner's husband was service-connected so as to entitle her to an award under the Workmen's Compensation Act.

The facts found by the Chairman of the Workmen's Compensation Commission, Mrs. Nieves Baens del Rosario, as stated in her decision of August 21, 1965, are not disputed. The deceased Eleuterio Bungkas was in life an employee of respondent National Waterworks and Sewerage Authority. His first job was a pipe-fitter - digging soil, and laying and connecting underground water pipes. He worked in that capacity from 1945 to 1949. In 1950 he was assigned as security guard, in which assignment he stayed until he died in 1956. The cause of his death was "acute nephritis, due to uremia and acute cardiac dilatation." The Commission found -and there is no evidence to the contrary - that nephritis could be caused by the factors of "cold and wet" due to submersion in water, and that if such factors had had anything to do with the disease which Bungkas contracted, the disease would have manifested itself during the time when he was working as pipe-fitter, that is, from 1945 to 1949, and not four years thereafter, or in 1953, when he showed the first symptoms. The time-gap, according to the Commission, was too long to justify a conclusion that the sickness was service-induced.

On the other hand, there is nothing peculiar in the work of a security guard which could have caused the sickness, or predisposed the deceased to it, nor any indication that he would not have contracted it had he not been employed at all in that capacity.

As the record stands, we find no ground to reverse the decision sought to be reviewed, and hence affirm the same. No costs.

Concepcion, C.J., Reyes, J.B.L., Dizon, Zaldivar, Sanchez, Castro, Angeles, and Fernando, JJ., concur.

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