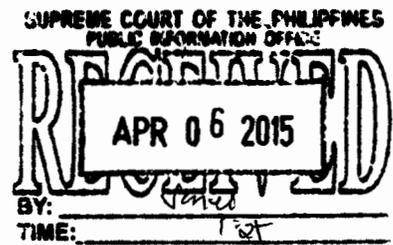




Republic of the Philippines
Supreme Court
 Manila

FIRST DIVISION

NOTICE



Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **March 11, 2015** which reads as follows:*

“G.R. No. 215473 (Magsaysay Mol Marine, Inc. and Francisco D. Menor v. Rodrigo S. Dimaculangan). - The petitioners’ motion for an extension of thirty (30) days within which to file a petition for review on certiorari is **GRANTED**, counted from the expiration of the reglementary period; and the National Labor Relations Commission is **DELETED** as party respondent in this case pursuant to Sec. 4, Rule 45, 1997 Rules of Civil Procedure, as amended.

After a judicious perusal of the records, the Court resolves to **DENY** the instant petition and **AFFIRM** the August 26, 2014 Decision¹ and November 19, 2014 Resolution² of the Court of Appeals (CA) in CA-G.R. SP No. 127975 for failure of Magsaysay Mol Marine, Inc. and Francisco D. Menor (petitioners) to sufficiently show that the CA committed any reversible error in awarding permanent disability benefits in favor of Rodrigo S. Dimaculangan (respondent).

As correctly held by the CA, no grave abuse of discretion can be attributed to the National Labor Relations Commission in finding that respondent’s *hyperthyroidism* is work-related. While such illness is not listed as an occupational disease under the POEA Standard Employment

- over - two (2) pages

¹ Rollo, pp. 69-83. Penned by Associate Justice Socorro B. Inting with Associate Justices Jose C. Reyes, Jr. and Mario V. Lopez, concurring.

² Id. at 86-87.

Contract, there exists a presumption of compensability which petitioners failed to overcome in this case.³ Moreover, findings of fact of the labor tribunals, as affirmed by the CA, are generally binding and conclusive upon this Court,⁴ and are not to be disturbed unless they fall under the recognized exceptions,⁵ which do not obtain in this case.

The petitioners are hereby directed to **SUBMIT** within five (5) days from notice hereof, a soft copy in compact disc (CD), USB or e-mail containing the PDF files of the signed motion for extension as well as the signed petition for review on certiorari and annexes pursuant to the Resolution dated February 25, 2014 in A.M. Nos. 10-3-7-SC and 11-9-4-SC.

SO ORDERED.”

Very truly yours,


LIBRADA C. BUENA
Deputy Division Clerk of Court
8

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³ See *Magsaysay Maritime Services v. Laurel*, G.R. No. 195518, March 20, 2013, 694 SCRA 225.

⁴ *Acevedo v. Advanstar Company, Inc.*, 511 Phil. 279, 287 (2005).

⁵ *Cirtek Employees Labor Union-Federation of Free Workers v. Cirtek Electronics, Inc.*, G.R. No. 190515, June 6, 2011, 650 SCRA 656, 660.

