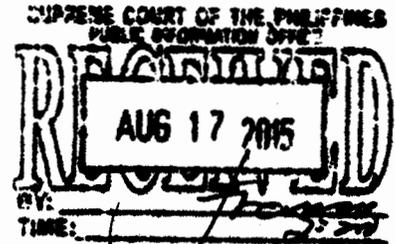




Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE



Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated July 6, 2015 which reads as follows:

“G.R. No. 217122 (BSM Crew Service Center Phils., Inc., Berhard Schulte Ship Management, Inc., and Narcissus L. Duran v. Edmon L. Villaver). - 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.

After a judicious review of the records, the Court resolves to **DENY** the instant petition and **AFFIRM** the August 28, 2014 Decision¹ and February 17, 2015 Resolution² of the Court of Appeals (CA) in CA-G.R. SP No. 130094 for failure of petitioners BSM Crew Service Center Phils., Inc., Berhard Schulte Ship Management, Inc., and Narcissus L. Duran to show that the CA committed any reversible error in declaring respondent Edmon L. Villaver (respondent) to be suffering from a permanent total disability.

As correctly ruled by the CA, respondent should be deemed totally and permanently disabled due to the company-designated physician’s failure to issue a final disability rating within 240 days from his repatriation. It is settled that a disability is deemed total and permanent when so declared by the company-designated physician within the periods he is allowed to do so, or upon the expiration of the maximum 240-day medical treatment period without a declaration of either fitness to work or the existence of a permanent disability,³ as in this case.

- over – two (2) pages

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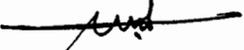
¹ Rollo, pp. 25-34. Penned by Associate Justice Socorro B. Inting with Associate Justices Jose C. Reyes, Jr. and Mario V. Lopez concurring.

² Only the 2nd page of the CA Resolution was attached; id. at 191.

³ *Ace Navigation Company v. Garcia*, G.R. No. 207804, June 17, 2015, citing *Vergara v. Hammonia Maritime Services, Inc.*, 588 Phil. 895, 913 (2008).

SO ORDERED.”

Very truly yours,


EDGAR O. ARICHETA
Division Clerk of Court

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11-001008-12; NLRC NCR Case No.
03-03644-12 OFW [M])

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