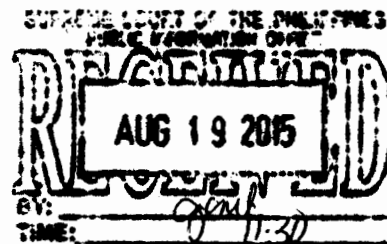




Republic of the Philippines  
Supreme Court  
Manila

FIRST DIVISION

NOTICE



Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated July 29, 2015 which reads as follows:*

**“G.R. No. 217964 (Nestor J. Plata v. Medline Philippines, Inc. and/or Pafalos\* Shipping S.A. and/or Capt. Angel J. Oseña). – The petitioner’s 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 December 11, 2014 Decision<sup>1</sup> and April 7, 2015 Resolution<sup>2</sup> of the Court of Appeals (CA) in CA-G.R. SP No. 135993 for failure of petitioner Nestor J. Plata (petitioner) to sufficiently show that the CA committed any reversible error in upholding the denial of his claim for permanent and total disability benefits.

As correctly ruled by the CA, the company-designated physician’s fit-to-work declaration, which was issued after an extensive examination, should be given credence over the independent physician’s Grade 1 disability rating. It is well-settled that the findings of the company-designated physician, who treated petitioner for a longer period, and had the opportunity to monitor the latter’s condition, deserve greater evidentiary weight than the single medical report of the latter’s doctor, who appeared to have examined him only once.<sup>3</sup> Besides, except for the sweeping and general statements made by the independent physician, no

- over – two (2) pages .....

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\* Erroneously referred to as “Fafalios” and “Fafalos” in the National Labor Relations Commission and CA Decisions, respectively.

<sup>1</sup> *Rollo*, pp. 220-236. Penned by Associate Justice Remedios A. Salazar-Fernando with Associate Justices Ramon R. Garcia and Danton Q. Bueser concurring.

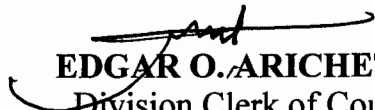
<sup>2</sup> *Id.* at 250-253.

<sup>3</sup> See *Monana v. MEC Global Shipmanagement and Manning Corporation*, G.R. No. 196122, November 12, 2014, citing *Dalusong v. Eagle Clarc Shipping Philippines, Inc.*, G.R. No. 204233, September 3, 2014, 734 SCRA 315, 329.

causal relation was ever established nor explained to prove that petitioner's condition was the result of or aggravated by his work. As a matter of fact, petitioner himself admitted attributing the symptoms of his illness to "family problems" and/or issues with his wife, and thus, the same cannot be considered as work-related.

**SO ORDERED.** SERENO, C.J., on official leave; PERALTA, J., acting member per S.O. No. 2103 dated July 13, 2015.

Very truly yours,

  
**EDGAR O. ARICHETA**  
Division Clerk of Court *pk do*  
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16243-12; NLRC LAC No.  
[OFW-M] 12-001136-13)

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