

THIRD DIVISION

[G.R. No. 172925, June 18, 2009]

**GOVERNMENT SERVICE INSURANCE SYSTEM, PETITIONER, VS.
JAIME K. IBARRA, RESPONDENT.**

R E S O L U T I O N

CHICO-NAZARIO, J.:

This is to address incidents in the instant case which arose after the Court promulgated its Decision dated 19 October 2007 and Resolution dated 6 February 2008.

To recall, respondent Jaime K. Ibarra (Ibarra) worked for the Development Bank of the Philippines (DBP) as Clerical Aide, as Bank Attorney I, and later as Division Chief III. He claimed that from the inception of his work with the bank up to the present, his principal work has been to read and analyze voluminous documents.

During the course of his employment, Ibarra developed high blood pressure and cataracts on both eyes, which were eventually extracted on 23 January 1995.

In early 2000, Ibarra again experienced blurring of vision. After seeking medical help, he was diagnosed to be suffering from retinal detachment in his left eye. This retinal detachment was later improved by surgery. However, sometime before November 2001, Ibarra again suffered retinal detachment, this time in his right eye. This was, unfortunately, never corrected despite repeated surgery that spanned several years, leading eventually to the total blindness of said right eye.

Believing that his ailment was acquired because of his job, Ibarra filed with petitioner Government Service Insurance System (GSIS), a claim for compensation benefits under Presidential Decree No. 626, as amended. The GSIS denied Ibarra's claim, ruling that the latter's retinal detachment was a non-occupational disease.

Ibarra elevated the denial of his claim by the GSIS to the Employees' Compensation Commission (ECC). The ECC affirmed the GSIS ruling, and dismissed Ibarra's claim for compensation benefits on the ground that the records did not show any proof that Ibarra suffered the injury to his right eye in the performance of his duty.

Ibarra then appealed to the Court of Appeals. The Court of Appeals, after finding that there was sufficient evidence to prove a probable work connection between Ibarra's hypertension and his retinal detachment, reversed the ECC decision. The dispositive portion of the Court of Appeals Decision dated 15 November 2005 reads:

WHEREFORE, in light of the foregoing, the decision subject of the petition is **REVERSED and SET ASIDE**. Accordingly, the **respondent GSIS is hereby ordered to pay the petitioner the appropriate benefits**

under PD 626, subject, however, to set-off of his outstanding and unpaid loans with GSIS. (Emphasis ours.)

From the foregoing, the GSIS came before this Court via the present Petition for Review on *Certiorari* under Rule 45 of the Revised Rules of Court. In its Decision dated 19 October 2007, the Court dismissed the Petition of GSIS and affirmed the judgment of the Court of Appeals. The Court of Appeals denied with finality the Motion for Reconsideration of the GSIS in a Resolution dated 6 February 2008.

Consequently, Ibarra wrote the GSIS on 8 April 2008, demanding the payment of his disability benefits pursuant to the 19 October 2007 Decision of this Court. However, the GSIS replied in a letter dated 25 April 2008 that it would pay Ibarra only 60 days of permanent partial disability benefits. And, in accordance with its letter, the GSIS issued to Ibarra a check dated 16 June 2008 in the amount of P 77,634.50, which was equal to just two months of income benefits. The check was accompanied by a computer-generated letter categorically stating that there would be "NO MORE FORTHCOMING INCOME BENEFIT."

Ibarra filed this Motion for Assistance, asking the Court to direct the GSIS to pay him the correct total amount of permanent partial disability benefits he is entitled to under Presidential Decree No. 626, as amended.

Since Ibarra has already toiled through the justice system for several years, the Court shall address his Motion for Assistance by treating the same as a Motion for Clarification.

It must be stressed that the Court of Appeals, in its Decision dated 15 November 2005, affirmed by this Court, plainly decreed that GSIS pay Ibarra the appropriate benefits under Presidential Decree No. 626, as amended. Rule XII of the Amended Rules on Employees' Compensation, in implementation of Presidential Decree No. 626, as amended, provides the following guidelines for cases of Permanent Partial Disability:

RULE XII
Permanent Partial Disability

Sec. 1. Conditions to Entitlement. - x x x.

Sec. 2. Period of Entitlement -- (a) The income benefit shall be paid beginning on the first month of such disability, but not longer than the designated number of months in the following schedule:

Complete and permanent loss of the use of	No. of Months
One thumb	10
One index finger	8
One middle finger	6
One ring finger	5
One little finger	3