

## THIRTEENTH DIVISION

[ CA-G.R. SP No. 131095, February 14, 2014 ]

**STATUS MARITIME CORPORATION, COSMOSHIP MANAGEMENT S.A. AND MILAGRITA JIMENEZ, PETITIONERS, VS. NATIONAL LABOR RELATIONS COMMISSION (NLRC) AND BELTRAN A. PERITO, RESPONDENTS.**

### D E C I S I O N

**YBAÑEZ, J.:**

This is a Petition for Certiorari with prayer for the issuance of the writs of temporary restraining and/or preliminary injunction, assailing the Decision dated 27 March 2013,<sup>[1]</sup> and the Resolution dated 24 March 2013 of the NLRC in NLRC LAC (OFW-M)-02-000225-13, affirming the Decision dated 4 December 2012,<sup>[2]</sup> of the Labor Arbiter in NLRC RAB No. NCR Case No. (M) NCR-08-12790-12, disposing that:

**"WHEREFORE, premises considered, judgment is entered FINDING respondents STATUS MARITIME CORP. (Respondent/Local Agency) and/or COSMOSHIP MANAGEMENT S.A. (Respondent/Principal Abroad), MILAGRITA B. JIMENEZ (Other Respondent), jointly and severally liable to pay complainant Beltran A. Perito permanent and total disability or 100% degree of disability benefits of US\$60,000.00, ORDERING thus, said named respondents in said joint and several capacities to pay said complainant his permanent total disability benefits of US\$60,000.00 and his sick leave allowance of US\$2,800.00, and finally to pay him Attorney's fees of ten percent (10%) of the total monetary award.**

**SO ORDERED."**

On 15 August 2013 We issued Resolution directing private respondent to file his comment to the petition (not a motion to dismiss) within ten (10) days from notice, furnishing a copy thereof to the petitioners, who may file a reply within five (5) days from receipt of private respondent's comment.

On 11 October 2013, private respondent Beltran A. Perito, through counsel, filed his Comment to the petition.<sup>[3]</sup> And on 25 October 2013, petitioners filed their Reply thereto.<sup>[4]</sup>

Earlier, or on 2 October 2013, petitioners, through counsel, filed an Urgent Motion For The Issuance of Temporary Restraining Order and/or Writ of Preliminary