

FIRST DIVISION

[G.R. No.146891, July 30, 2002]

RUBEN T. LIMBO, PETITIONER, VS. EMPLOYEES COMPENSATION COMMISSION AND SOCIAL SECURITY SYSTEM, RESPONDENTS.

D E C I S I O N

KAPUNAN, J.:

Before the Court is a petition for review on *certiorari* assailing the decision, promulgated on October 24, 2000, and the resolution, promulgated on January 29, 2001, of the Court of Appeals in CA-G.R. SP No. 51528.

Petitioner Ruben T. Limbo was employed at Nestlé Philippines, Incorporated from November 25, 1966 to December 31, 1996, first, as a salesman until he was promoted as Area Sales Supervisor in 1977.

Sometime in December 1994, Limbo was confined for one week at the Philippine General Hospital (PGH) because of joint pains. His work-up revealed that he had elevated BUN, creatinine and anemia. When Limbo was subjected to a renal ultrasound, it was further discovered that he had chronic renal disease and he was forthwith referred to a nephrologist and was advised to undergo a kidney transplant. On January 2, 1995, Limbo underwent a renal transplant at the PGH and was discharged therefrom on January 13, 1995.

Limbo filed a claim for compensation benefits before the Social Security System (SSS), invoking Presidential Decree (P.D.) No. 626, as amended. However, the claim was denied on the ground that Limbo's illness, "end-stage renal disease secondary to uric acid nephropathy," had no causal relationship to his job as Area Sales Supervisor. Limbo promptly appealed to the Employees Compensation Commission (ECC). In a decision, dated December 2, 1998, the ECC affirmed the decision of the SSS and dismissed the appeal for lack of merit.

Unsatisfied with the decision, Limbo went to the Court of Appeals for relief. However, in the now assailed decision, the appellate court dismissed the petition. Limbo's motion for reconsideration was later denied.

Hence, the present recourse.

The only issue here is whether or not "end-stage renal disease secondary to uric acid nephropathy" is compensable under P.D. 626, as amended.

We grant the petition.

Under the Amended Rules on Employees Compensation, "(f)or the sickness and the resulting disability to be compensable, the sickness must be the result of an occupational disease listed under Annex "A" of these Rules with the conditions set therein satisfied; otherwise, proof must be shown that the risk of contracting the