REPUBLIC OF THE PHILIPPINES
COURT OF TAX APPEALS
QUEZON CITY

FIRST DIVISION

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DAHON REALTY CORPORATION,
Petitioner,

- versus -

THE COMMISSIONER OF INTERNAL REVENUE,
Respondent.

C.T.A. CASE NO. 7310

Members:

ACOSTA, *Chairperson*
BAUTISTA, and
CASANOVA, *JJ.*

Promulgated:

APR 21 2008 ; 1:25PM

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RESOLUTION

On December 18, 2007, this instant case was submitted for decision by this Court after petitioner filed its Memorandum, sans respondent's Memorandum.

For this Court's resolution now are respondent's **"Omnibus Motion"** posted on January 24, 2008 seeking the reconsideration of this Court's December 18, 2007 Resolution submitting the case for decision sans respondent's Memorandum; and petitioner's **"Manifestation and Motion"** filed on March 12, 2008, apprising this Court that on March 4, 2008 it availed of the tax amnesty program under Republic Act (R.A.) No. 9480, otherwise known as the "Tax Amnesty Act of 2007". Together with its Motion, petitioner submitted copies of the (1) Notice of Availment of Tax Amnesty[1] dated March 3, 2008, (2) its Statement of Assets and Liabilities and

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[1] Annex "A", Manifestation and Motion, Rollo, p. 428.

Networth (SALN)[2] as of March 31, 2005, (3) Tax Amnesty Return – BIR Form No. 2116[3], (4) Tax Amnesty Payment Form – BIR Form No. 0617[4], and (5) Land Bank of the Philippines BIR Tax Payment Deposit Slip dated March 4, 2008, in the amount of P1,342,560.89[5].

Inasmuch as petitioner had satisfactorily complied with the requirements for the availment of the tax amnesty, and fully apprising this Court of the same, petitioner's Motion is hereby **GRANTED**. Respondent's Motion, on the other hand, is thus rendered moot.

WHEREFORE, petitioner's Petition for Review is deemed **WITHDRAWN**, and the above-entitled case is now considered **CLOSED** and **TERMINATED**. Accordingly, Formal Assessment Notice No. IT-11238-99-04-980 issued against petitioner for deficiency income taxes is hereby **CANCELLED**. Consequently, respondent is hereby ordered to **DESIST** from further collecting petitioner's deficiency income taxes, including its interests, covering the taxable year 1999.

SO ORDERED.

ERNESTO D. ACOSTA
Presiding Justice

LOVELL R. BAUTISTA
Associate Justice

CAESAR A. CASANOVA
Associate Justice

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[2] Annex "B", supra, p. 429.
[3] Annex "C", supra, p. 431.
[4] Annex "D", supra, p. 432.
[5] Annex "E", supra, p. 433.