

REPUBLIC OF THE PHILIPPINES
COURT OF TAX APPEALS
QUEZON CITY

ALBON METAL CRAFT
(shipment of 240 pcs.
One Lot Used Automotive
Replacement Parts For Toyota,
ENTRY No. 80061-88),
represented by its Attorney-in-Fact,
CECILLE M. MILLESCA,

Petitioner,

X - - - - - X

- versus -

C. T. A. CASE NO. 4567

THE COMMISSIONER OF CUSTOMS
Respondent.

X - - - - - X

3/5/92

R E S O L U T I O N

Confirming the order in open court on February 26, 1992, respondent's motion to reset (this case for hearing) filed on February 12, 1992, is denied and this case is **DISMISSED** for lack of interest or failure to prosecute on the part of petitioner, it appearing that on said date (February 26), it was the sixth time that petitioner's counsel failed to appear since the first setting on July 15, 1991 and that although this case had already been dismissed the first time on November 12, 1991 (confirmed in the court's resolution of November 15, 1991), petitioner, upon it's motion for reconsideration, was still given further chances to prosecute its case.

RESOLUTION
CTA CASE NO. 4567

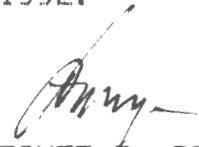
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From the circumstances of this case, the court is constrained to believe that the petitioner could not pursue its appeal or prosecute its case and that, through its initiative, this proceeding is being delayed. This, the Court cannot allow, as it is bound by the rules to hear and decide the case expeditiously.

SO ORDERED.

Quezon City, Metro Manila, March 5, 1992.


ERNESTO D. ACOSTA
Associate Judge


CONSTANTE C. ROAQUIN
Associate Judge