

REPUBLIC OF THE PHILIPPINES
COURT OF TAX APPEALS
MANILA

SWISS ORIENTAL COMMERCIAL
COMPANY,

Petitioner,

- versus -

C.T.A. CASE NO. 156

THE COLLECTOR OF INTERNAL
REVENUE,

Respondent.

October 26, 1959

10/26/59

x - - - - - x

R E S O L U T I O N

The petitioner, on October 1, 1959, filed a motion praying for withdrawal of its Petition for Review and the exhibit attached thereto on the ground that the above entitled case had been amicably settled with the Commissioner of Internal Revenue.

On the day set for the hearing of the said motion, neither the respondent nor his counsel appeared. The petitioner presented a photostat copy of the letter of the Commissioner of Internal Revenue dated March 11, 1959 and addressed to Mr. Fred Knecht, c/o Swiss Oriental Commercial Co., 99 Dasmariñas, Manila, quoted below:

"In reply to your letter dated November 7, 1957 relative to the 25% surtax assessed against the Swiss Oriental Commercial Co. for the year 1950 in the amount of ₱47,006.72, I have the honor to inform you that upon further investigation of this case and reconsideration of the reasons stated in your several letters, this Office has determined that the Swiss Oriental Commercial Co. did not accumulate in 1950 a surplus beyond its reasonable needs. In view thereof, the assessment for ₱47,006.72 against the said company is hereby cancelled and our demand therefor withdrawn.

"Inasmuch as this case is the subject of your appeal in C.T.A. Case No. 156, you may now withdraw your petition for review from the Court of Tax Appeals." (CTA rec.

RESOLUTION -
C.T.A. CASE NO. 156

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p. 53.)

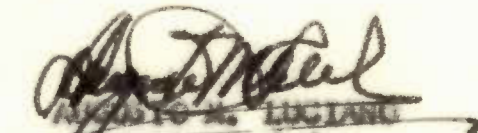
IN VIEW OF THE FOREGOING, and finding the motion well taken, the Petition for Review is hereby dismissed. The Clerk of Court is ordered to return to the petitioner the exhibit (Annex A) attached to the Petition for Review upon proper receipt therefor. Without pronouncement as to costs.

SO ORDERED.

Manila, October 26, 1959.


MARIANO RADA
Presiding Judge

WE CONCUR:


RICARDO M. LUCIANI
Associate Judge


ROMAN M. USALI
Associate Judge