

REPUBLIC OF THE PHILIPPINES
COURT OF TAX APPEALS
QUEZON CITY

THIRD DIVISION

TRIUMPH INTERNATIONAL CTA Case No. 11240
(PHILIPPINES), INC.,

Petitioner, Members:

-versus-

MANAHAN, Chairperson,
REYES-FAJARDO, and
ANGELES, JJ.

COMMISSIONER OF INTERNAL Promulgated:
REVENUE,

Respondent. JAN 20 2025

x- - - - - 10:4 a.m. - - - - - x

R E S O L U T I O N

On October 31, 2024 petitioner filed a **Motion to Withdraw Petition for Review (By Petitioner Triumph International (Philippines), Inc.)** seeking the withdrawal of its petition due to the compromise settlement of its tax liability assessment with the respondent.

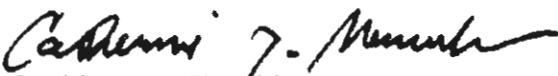
On the other hand, respondent, in his **Manifestation** filed on November 12, 2024, did not register any objection on the said motion and submits its resolution to the discretion of this Court.

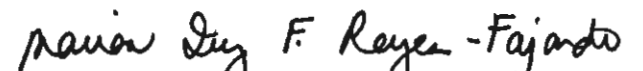
Section 2, Rule 17 of the Rules of Court, as amended, provides:

Section 2. *Dismissal upon motion of plaintiff.* – Except as provided in the preceding [S]ection, a complaint shall not be dismissed at the plaintiff's instance save upon approval of the court and upon such terms and conditions as the court deems proper. If a counterclaim has been pleaded by a defendant prior to the service upon him or her of the plaintiff's motion for dismissal, the dismissal shall be limited to the complaint. The dismissal shall be without prejudice to the right of the defendant to prosecute his or her counterclaim in a separate action unless within fifteen (15) calendar days from notice of the motion he or she manifests his or her preference to have his or her counterclaim resolved in the same action. Unless otherwise specified in the order, a dismissal under this paragraph shall be without prejudice. A class suit shall not be dismissed or compromised without the approval of the court.

WHEREFORE, premises considered, petitioner's *Motion to Withdraw Petition for Review (By Petitioner Triumph International (Philippines), Inc.)* is hereby **GRANTED**. Accordingly, the instant case is **CLOSED** and **TERMINATED**.

SO ORDERED.


CATHERINE T. MANAHAN
Associate Justice


MARIAN IV F. REYES-FAJARDO
Associate Justice


HENRY S. ANGELES
Associate Justice