

REPUBLIC OF THE PHILIPPINES
COURT OF TAX APPEALS
QUEZON CITY

THIRD DIVISION

MACARIO D. ROQUE, JR. FILL CTA CASE NO. 9295
RITE GAS TRADING,

Petitioner, Members:

- versus -

BAUTISTA, *Chairperson*
FABON-VICTORINO, *and*
RINGPIS-LIBAN, JJ.

COMMISSIONER OF INTERNAL Promulgated:
REVENUE,

Respondent.

NOV 21 2017

3:37 p.m.

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RESOLUTION

When this case was called for hearing on the *Motion to Withdraw Petition with Motion to Cancel Hearing*, only counsel for petitioner appeared. Despite notice, counsel for respondent failed to appear or file any objection to the motion.

Petitioner claims that its bank account with Banco De Oro (BDO) has already been garnished by respondent when its prayer for TRO was denied by the Court. Subsequently, another notice of garnishment was served by respondent upon petitioner for the payment of surcharge and delinquency interest in the amount of Php438,186.09 which petitioner immediately paid on October 28, 2016 at DBP, Quezon Avenue.

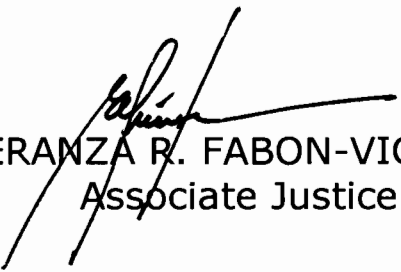
With such payment, the Head of Arrears Management Team of respondent, recommended the termination of the case against petitioner.

In view of the foregoing and considering that petitioner has lost interest to pursue the instant case given that it no longer has the originals of the documents that will support its case, petitioner moves for the withdrawal of the present case.

As prayed for and there being no objection to the motion registered by respondent, petitioner's Motion to Withdraw its Petition for Review is hereby GRANTED. The instant Petition for Review is ordered withdrawn and deemed terminated.

SO ORDERED.


LOVELL R. BAUTISTA
Associate Justice


ESPERANZA R. FABON-VICTORINO
Associate Justice

(Inhibited)
MA. BELEN M. RINGPIS-LIBAN
Associate Justice