

REPUBLIC OF THE PHILIPPINES
COURT OF TAX APPEALS
QUEZON CITY

FIRST DIVISION

FOINIX CORPORATION,
Petitioner,

CTA Case No. 10856

Members:

-versus-

DEL ROSARIO, PJ, Chairperson,
MANAHAN, and
REYES-FAJARDO, JJ.

COMMISSIONER OF THE
BUREAU OF INTERNAL,
Respondent.

Promulgated:

AUG 18 2022 *3:08 PM*

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RESOLUTION

On July 6, 2022, the Court issued a Resolution requiring petitioner to clarify the observed inconsistencies in the allegations in its Compliance and submit the original and notarized Board Resolution within five (5) days from notice.

The Records Verification dated July 29, 2022 indicates that petitioner failed to comply with the Resolution of the Court dated July 6, 2022.

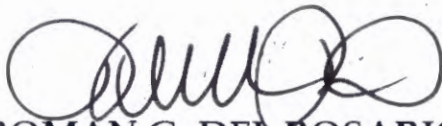
Section 3, Rule 17 of the Revised Rules of Civil Procedure states that if, for no justifiable cause, petitioner fails to comply with the Rules or any order of the court, the complaint may be dismissed upon the court's own motion, to wit:

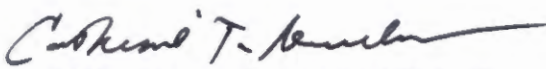
Section 3. Dismissal due to fault of plaintiff. — If, for no justifiable cause, the plaintiff fails to appear on the date of the presentation of his or her evidence in chief on the complaint, or to prosecute his or her action for an unreasonable length of time, or to comply with these Rules or any order of the court, the complaint may be dismissed upon motion of the defendant or upon the court's own motion, without prejudice to the right of the defendant to prosecute his or her counterclaim in the same or in a separate

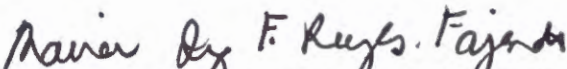
action. This dismissal shall have the effect of an adjudication upon the merits, unless otherwise declared by the court. (Boldfacing supplied)

WHEREFORE, premises considered, petitioner's Petition for Review is hereby dismissed for its failure to comply with the Rules and order of this Court.

SO ORDERED.


ROMAN G. DEL ROSARIO
Presiding Justice


CATHERINE T. MANAHAN
Associate Justice


MARIAN IV F. REYES-FAJARDO
Associate Justice