

**REPUBLIC OF THE PHILIPPINES
COURT OF TAX APPEALS
QUEZON CITY**

FIRST DIVISION

ICONIC DEALERSHIP, INC. CTA CASE NO. 10887

**[AS SURVIVING
CORPORATION IN A
MERGER INVOLVING
HONDA CARS MAKATI,
INC.],**

Petitioner,

Members:

**DEL ROSARIO, P.J., Chairperson,
BACORRO-VILLENA, and
CUI-DAVID, JJ.**

-versus-

**COMMISSIONER OF
INTERNAL REVENUE,**

Respondent.

Promulgated:

OCT 09 2023, 10:00AM

X- - - - - X

RESOLUTION

On August 10, 2023, petitioner filed its **Omnibus Motion 1. Motion to Withdraw the Petition for Review and 2. Motion to Defer the Submission of the Formal Offer of Evidence**. On August 23, 2023, the Court granted the petitioner's Motion to Defer the Submission of the Formal Offer of Evidence. After being ordered to comment on petitioner's *Omnibus Motion* in the Court's *Resolution* dated August 23, 2023, respondent filed his **Manifestation (in lieu of Comment)** on September 11, 2023.

In petitioner's *Omnibus Motion*, petitioner states that it has decided not to pursue the *Petition for Review* "upon [its] further evaluation of the case." In respondent's *Manifestation*, he manifests that he submits to the sound discretion of the Court the resolution of petitioner's *Omnibus Motion*.

Section 3, Rule 50 of the Rules of Court, which applies suppletorily under Section 3, Rule 1 of the Revised Rules of the Court of Tax Appeals,¹ provides:

¹ SECTION 3. Applicability of the Rules of Court. — The Rules of Court in the Philippines shall apply suppletorily to these Rules.

RESOLUTION

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Section 3. Withdrawal of appeal. — An appeal may be withdrawn as of right at any time before the filing of the appellee's brief. Thereafter, the withdrawal may be allowed in the discretion of the court.

WHEREFORE, premises considered, petitioner's *Motion to Withdraw the Petition for Review* is **GRANTED**.

Accordingly, the above-captioned case is deemed **CLOSED** and **TERMINATED**.

SO ORDERED.

ON OFFICIAL BUSINESS

ROMAN G. DEL ROSARIO

Presiding Justice


JEAN MARIE A. BACORRO-VILLENA

Associate Justice


LANEE S. CUI-DAVID

Associate Justice