

REPUBLIC OF THE PHILIPPINES
COURT OF TAX APPEALS
QUEZON CITY

FIRST DIVISION

PHILEX MINING CORPORATION,
Petitioner,

C.T.A. CASE NOS. 6778
& 6828

- versus -

Members:
ACOSTA, Chairman
BAUTISTA, and
CASANOVA, JJ.

COMMISSIONER OF INTERNAL
REVENUE,

Promulgated:

Respondent.

APR 07 2005

X -----

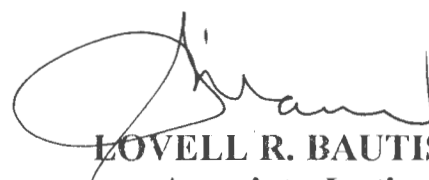
RESOLUTION

Confirming the order of the court on February 22, 2005, petitioner's "Motion to Withdraw Petition for Review in CTA Case No. 6778," filed on February 10, 2005, is hereby **GRANTED** considering the issuance of Bureau of Internal Revenue Tax Credit Certificate No. R-013557, dated January 26, 2005, in favor of petitioner in the amount of P6,282,721.87, in satisfaction of petitioner's claim for VAT refund in CTA Case No. 6778.

WHEREFORE, the petition for review in CTA Case No. 6778 is hereby **WITHDRAWN** and the same is considered **CLOSED AND TERMINATED**. CTA Case No. 6828 is set for hearing on April 26, 2005 at 9:00 a.m. in the session hall of this court for the continuation of petitioner's presentation of evidence.

SO ORDERED.


ERNESTO D. ACOSTA
Presiding Justice


LOVELL R. BAUTISTA
Associate Justice


CAESAR A. CASANOVA
Associate Justice