

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

FIRST DIVISION

**AA AQUA AGRI CORPORATION,
Petitioner,**

C.T.A. CASE NO. 6872

- versus -

**Members:
ACOSTA, Chairman
BAUTISTA, and
CASANOVA, J**

**COMMISSIONER OF INTERNAL
REVENUE,**

Promulgated:

Respondent.

FEB 02 2006

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RESOLUTION

Confirming the order of this court on January 27, 2006, petitioner's "Manifestation and Motion," filed on December 29, 2005, praying for the withdrawal of the Petition for Review, filed on February 24, 2004, is hereby **GRANTED**. It appears from the record submitted by petitioner that the petitioner has been issued a Land Bank of the Philippines Check No. 0000912550, in the amount of P10,240,045.34, dated December 9, 2005, representing the refund of its overpaid income tax for the fiscal year ended August 31, 2001. Thus, the Petition for Review filed on February 24, 2004 by the petitioner has become moot.

WHEREFORE, the Petition for Review is hereby considered **WITHDRAWN**. This case is deemed **CLOSED and TERMINATED**.

SO ORDERED.


ERNESTO D. ACOSTA
Presiding Justice


LOVELL R. BAUTISTA
Associate Justice


CAESAR A. CASANOVA
Associate Justice