

REPUBLIC OF THE PHILIPPINES
COURT OF TAX APPEALS
Quezon City

Third Division

SOLENERGY SYSTEMS INC.,
Petitioner,

CTA CASE NO. 10524

-versus-

Members:
UY, *Chairperson,*
RINGPIS-LIBAN, and
MODESTO-SAN PEDRO, II.

**COMMISSIONER OF INTERNAL
REVENUE AND COMMISSIONER
OF CUSTOMS,**

Promulgated:

Respondents.

MAR 04 2022

9:52 a.m.

X-----X

RESOLUTION

On May 21, 2021, the Court received the Petition for Review.

On June 2, 2021, the Court issued Summons to the respondents.

On July 14, 2021, the Court received respondent Commissioner of Internal Revenue (CIR)'s "Motion for Extension of Time to File Answer" filed by registered mail on July 9, 2021.

On even date, respondent Commissioner of Customs (COC) filed by registered mail a "Motion for Extension of Time to File Answer."

On September 6, 2021, the Court issued a Resolution granting the CIR's motion.

On October 20, 2021, petitioner filed a "Motion for Leave to Withdraw Petition for Review." Petitioner's counsel states that on August 16, 2021, he was informed by petitioner, through its Board of Directors, that it is no longer interested in pursuing the present judicial claim for refund and has resolved to seek permission for the withdrawal of the present Petition for Review.

Attached to the said motion is the "Secretary's Certificate" dated August 17, 2021.

On October 25, 2021, the Court received the CIR's "Answer" filed by registered mail on October 20, 2021.

On November 2, 2021, the Court received the CIR's "Motion to Defer Submission of Judicial Affidavit/s and Transmittal of BIR Records" filed by registered mail on October 20, 2021.

On November 10, 2021, the Court issued a Resolution ordering respondents to file their respective comments on petitioner's "Motion for Leave to Withdraw Petition for Review."

On November 26, 2021, the Court issued a Resolution granting the CIR's "Motion to Defer Submission of Judicial Affidavit/s and Transmittal of BIR Records."

On February 18, 2022, the CIR filed a "Comment (*Re: Motion to Withdraw Petition for Review*)" stating that considering that it was petitioner which filed the Petition for Review, respondent has no objection to petitioner's Motion to Withdraw Petition.

To date, respondent COC has not yet filed his Comment pursuant to the Court's Resolution dated November 10, 2021.

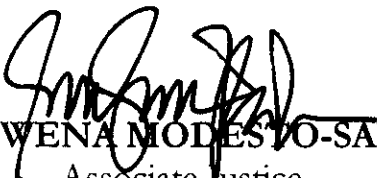
After consideration, the Court resolves to **GRANT** petitioner's "Motion for Leave to Withdraw Petition for Review."

WHEREFORE, the instant case is deemed closed and terminated.

SO ORDERED.


ERLINDA P. UY
Associate Justice


MA. BELEN M. RINGPIS-LIBAN
Associate Justice


MARIA ROWENA MODESTO-SAN PEDRO
Associate Justice