

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

FIRST DIVISION

CTA CASE NO. 11364

PETRON CORPORATION,
Petitioner,

- versus -

NOTICE OF RESOLUTION

**COMMISSIONER OF INTERNAL
REVENUE,**
Respondent.

To:

OFFICE OF THE SOLICITOR GENERAL
134 Amorsolo Street, Legazpi Village
Makati City

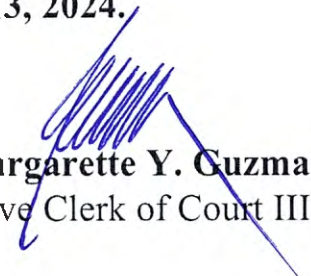
ATTY. AYESHA HANIA B. GUILING-MATANOG
ATTY. CLARISSA J. VIRTUDES-BABARAN
Bureau of Internal Revenue
Room 703, Litigation Division, BIR National Office Building
Sen. Miriam P. Defensor-Santiago Avenue
Diliman, Quezon City

DU-BALADAD AND ASSOCIATES
20th Floor, Chatham House Bldg.
Valero Cor. Rufino Streets,
Salcedo Village, Makati City

GREETINGS:

You are hereby notified by these presents that on **September 12, 2024**, a Resolution was rendered in the above-entitled case, copy of which is attached hereto.

Quezon City, Philippines, **September 13, 2024.**


Atty. Margarette Y. Guzman
Executive Clerk of Court III

REPUBLIC OF THE PHILIPPINES
COURT OF TAX APPEALS
Quezon City

FIRST DIVISION

PETRON CORPORATION,
Petitioner,

CTA CASE NO. **11364**

Members:

- versus -

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

COMMISSIONER OF
INTERNAL REVENUE,
Respondent.

Promulgated:
SEP 12 2024 9:20AM

X ----- X

RESOLUTION

For the Court's resolution is petitioner Petron Corporation's (**petitioner's/Petron's**) "Motion to Withdraw Petition for Review (with Motion to Cancel Scheduled Hearings)" (**Motion to Withdraw**) filed on 04 July 2024, with respondent Commissioner of Internal Revenue's (**respondent's/CIR's**) "Comment" filed on 19 July 2024.

Earlier, in a Minute Resolution dated 01 August 2024, this Court noted respondent's Comment, submitted petitioner's Motion to Withdraw for resolution, and cancelled the hearings scheduled for 22 August 2024, 03 October 2024 and 14 January 2025.

In its Motion to Withdraw, petitioner informed this Court that, subsequent to the filing of its Petition for Review, the Bureau of Internal Revenue (**BIR**), in a Letter dated 17 April 2024¹, approved its administrative claim for a refund in the amount of **₱25,154,673.35**, which substantially covers the refund claim subject of this case (₱25,553,412.35).² This claim arose from the erroneous payment of excise taxes on imported LPG that was later sold to tax-exempt entities during the period from 01 January 2022 to 31 December 2022.

¹ Annex "A" to Petitioner's "Motion to Withdraw Petition for Review (with Motion to Cancel Scheduled Hearings)".

² Difference of only ₱398,739.00.

Petitioner also informed the Court that the Bureau of Customs (BOC), through the Chairman of the Tax Credit Committee, Atty. Clarence S. Dizon, issued a Tax Credit Certificate (TCC) dated 18 June 2024³, confirming the BIR's approval of its excise tax refund in the amount of **₱25,154,673.35**.

In his or her Comment, respondent interposes no objection to the withdrawal of the case and submits the action thereof to the discretion of this Court.

WITH THE FOREGOING, finding petitioner's Motion to Withdraw to be in order, and considering that it is petitioner's prerogative to withdraw its own Petition for Review, with no objection from respondent, the same is hereby **GRANTED**. Accordingly, the instant Petition for Review filed on 22 December 2023 is hereby **WITHDRAWN** and the above-captioned case is now **CLOSED** and **TERMINATED**.

SO ORDERED.


ROMAN G. DEL ROSARIO
Presiding Justice


JEAN MARIE A. BACORRO-VILLENA
Associate Justice


LANEE S. CUI-DAVID
Associate Justice

³ Annex "B" to Petitioner's "Motion to Withdraw Petition for Review (with Motion to Cancel Scheduled Hearings)".