

REPUBLIC OF THE PHILIPPINES
Court of Tax Appeals
QUEZON CITY

SECOND DIVISION

CHINA BANKING CORPORATION, C.T.A. CASE NO. 7026
Petitioner,

- versus -

COMMISSIONER OF INTERNAL
REVENUE,
Respondent.

X-----X
CHINA BANKING CORPORATION,
Petitioner,

C.T.A. CASE NO. 7076

Members:

- versus -

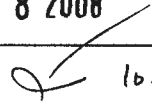
CASTAÑEDA, JR., *Chairperson*
UY, *and*
PALANCA-ENRIQUEZ, JJ.

COMMISSIONER OF INTERNAL
REVENUE,
Respondent.

Promulgated:

AUG 08 2008

X-----X

 16:08 a.m.

RESOLUTION

Petitioner's "**Manifestation**" filed on May 2, 2008, alleging that it availed of the Abatement Program of the Bureau of Internal Revenue ("BIR") under Revenue Regulations No. 15-2006 and paid the subject deficiency Gross Receipts Tax on FCDU-Onshore for the years 1999 and 2000; and Documentary Stamp Tax on FCDU Loans for the year 1999, is hereby **NOTED**.

As regards petitioner's Motion filed on May 2, 2008, it alleges that it previously availed of the One Time Administrative Abatement Program of the BIR regarding the tax assessments on deficiency Documentary Stamp Tax on SSD-RBU for calendar year ending December 31, 1999 and deficiency Documentary Stamp Tax on SSD for calendar year 2000; and that the BIR issued Termination Letters dated March 15, 2007 and March 19, 2007. In support thereof, petitioner attached copies of the said Termination Letters. Thus, petitioner prays that "the issues on the tax assessments on deficiency Documentary Stamp Tax on SSD-RBU for the calendar year ending December 31, 1999 and deficiency Documentary Stamp Tax on SSD for calendar year 2000, raised in CTA Case No. 7026, be considered withdrawn."

Considering the allegations and prayer of the petitioner in its motion, the same is hereby treated as a "**Motion to Withdraw the Petition**" in C.T.A. Case No. 7026.

Finding the motion to be well taken, the same is hereby **GRANTED**.

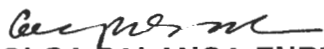
WHEREFORE, the Petition for Review in C.T.A. Case No. 7026 is deemed **WITHDRAWN**.

Let the initial presentation of the evidence for the respondent in C.T.A. Case No. 7076 be set on September 8, 2008, at 9:00 a.m., as previously scheduled.

SO ORDERED.


JUANITO C. CASTANEDA, JR.
Associate Justice


ERLINDA P. UY
Associate Justice


OLGA PALANCA-ENRIQUEZ
Associate Justice