REPUBLIC OF THE PHILIPPINES
Court of Tax Appeals
QUEZON CITY

SECOND DIVISION

EMILIO AGUINALDO EDUCATIONAL CORPORATION,
Petitioner,

- versus -

COMMISSIONER OF INTERNAL REVENUE,
Respondent.

C.T.A. CASE NO. 7703

Members:

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

Promulgated:

MAY 1 1 2009
3:05 p.m.

x- -x

RESOLUTION

For resolution is petitioner's **"Manifestation and Urgent Motion to Cancel Assessments, Withdraw the Petition for Review and Temporarily Suspend Proceedings"** filed on March 18, 2009, without respondent's comment or opposition thereto despite due notice.

In the said *Manifestation and Urgent Motion*, petitioner prays that an Order be issued: (1) re-confirming that petitioner has complied with the requirements of the Tax Amnesty Act of 2007, as previously confirmed in the *Resolution* of this Court dated November 18, 2008; (2) confirming that petitioner's privileges, rights and immunities under the Tax Amnesty Act of 2007 have ripened and attached unto petitioner since it has been more than one (1) year from the date that petitioner has availed of the tax amnesty and no one has questioned such availment or initiated any proceeding questioning the correctness and truthfulness of the Statement of Asset, Liabilities and

Networth (SALN) of petitioner; (3) canceling the income tax and value-added tax (VAT) assessments; (4) withdrawing the *Petition for Review* after the assessments have been ordered cancelled by this Court; and (5) temporarily suspending the proceedings of the case until the resolution of the motion.

Petitioner's manifestation that it has been more than one (1) year from date petitioner availed of the tax amnesty under RA 9480 and has submitted the tax amnesty documents to this Court is hereby **NOTED.**

Considering the Resolution dated November 18, 2008 finding petitioner to have satisfied the requirements set forth in RA 9480; and considering further the decision of the Supreme Court in *Philippine Banking Corporation (Now: Global Business Bank, Inc.) vs. Commissioner of Internal Revenue* [G.R. No. 170574, January 30, 2009], petitioner's **"Urgent Motion to Cancel Assessments and Withdraw the Petition for Review"** is **GRANTED.** Resolution of petitioner's Motion to Temporarily Suspend Proceedings is now rendered **MOOT.**

WHEREFORE, the above-captioned case is considered **CLOSED** and **TERMINATED**, solely in view of petitioner's availment of the Tax Amnesty Program under RA 9480.

The action on the parties' **"Amended Joint Stipulation of Facts"** is now rendered **MOOT**.

SO ORDERED.

Juanito C. Castañeda, Jr.
JUANITO C. CASTAÑEDA, JR.
Associate Justice

ERLINDA P. UY
Associate Justice

OLGA PALANCA-ENRIQUEZ
Associate Justice