

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

EN BANC

**WNS GLOBAL SERVICES
PHILIPPINES, INC.**

Petitioner,

**CTA EB NO. 1840
(CTA Case No. 8574)**

Present:

**DEL ROSARIO, P.J.,
CASTAÑEDA, JR.,
UY,
RINGPIS-LIBAN,
MANAHAN,
BACORRO-VILLENA, AND
MODESTO-SAN PEDRO, JJ.**

-versus-

**COMMISSIONER OF
INTERNAL REVENUE,**
Respondent.

Promulgated:

DEC 21 2020

X-----X

RESOLUTION

CASTAÑEDA, JR., J.

For resolution is the petitioner's Motion for Reconsideration (Re: Decision dated 10 January 2020) filed on January 31, 2020, without any comment from respondent despite notice.¹

In its motion, petitioner states that the Court gravely erred in affirming the decision of the court *a quo* which *partially denied* its input Value-Added Tax (VAT) claim for refund for failure to comply with the substantiation requirements in Sections 113 and 237 of the National Internal Revenue Code of 1997 (1997 NIRC), as amended, and in Section 4.113-1 of Revenue Regulations No. (RR) 16-2005. The motion also reiterates the ground discussed in its petition by stating that WNS Philippines, Inc. (WPI) "is an innocent purchaser for value and thus, the claim for refund must be allowed."² Finally, it states that the cases cited in the assailed decision such as *Miramar Fish Company, Inc. v. Commissioner of Internal Revenue*³ and *Eastern* *re*

¹ Records Verification Report dated September 23, 2020, *Rollo*, p. 333.

² *Rollo*, pp. 25-27.

³ G.R. No. 185432, June 4, 2014.

*Telecommunications Philippines, Inc. v. Commissioner of Internal Revenue*⁴ are not applicable to the instant case as the facts are different.

We resolve to deny the motion.

Petitioner's arguments in its motion are a mere rehash of its position in the petition and, hence, cannot be sustained.

The doctrine of *stare decisis et non quieta movere* (to adhere to precedents and not to unsettle things which are established) is embodied in Article 8 of the Civil Code of the Philippines which provides that "[j]udicial decisions applying or interpreting the laws or the Constitution shall form a part of the legal system of the Philippines."

Petitioner should note that, under the doctrine of *stare decisis*, a conclusion reached in one case should be applied to subsequent cases if the facts are substantially the same, even though the parties and other details may be different. Thus:⁵

"The foregoing disquisition is binding and applicable to the present case following the salutary doctrine of *stare decisis et non quieta movere* which means 'to adhere to precedents, and not to unsettle things which are established.' Under the doctrine, when the Supreme Court has once laid down a principle of law as applicable to a certain state of facts, it will adhere to that principle, and apply it to all future cases, where facts are substantially the same; regardless of whether the parties and property are the same. The doctrine of *stare decisis* is based upon the legal principle or rule involved and not upon the judgment which results therefrom. In this particular sense *stare decisis* differs from *res judicata* which is based upon the judgment.

The doctrine of *stare decisis* is one of policy grounded on the necessity for securing certainty and stability of judicial decisions, thus:

Time and again, the Court has held that it is a very desirable and necessary judicial practice that when a court has laid down a principle of law as applicable to a certain state of facts, it will adhere to that principle and apply it to all future cases in which the facts are substantially the same. *Stare decisis et non quieta movere*. Stand by the decisions and disturb not what is settled. *Stare decisis* simply means that for the sake of certainty, a conclusion reached in one case should be applied to those that follow if the facts are substantially the same, even though the parties may be different. It proceeds from the first principle of justice that, absent any powerful countervailing considerations, like cases ought to be decided alike. Thus, where the same questions relating to the same event have been put forward by the parties similarly situated as in a previous case litigated



⁴ G.R. No. 183531, March 25, 2015.

⁵ *Confederation of Sugar Producers Association, Inc., et al. v. Department of Agrarian Reform, et al.*, G.R. No. 169514, March 30, 2007, Supreme Court *En Banc*.

and decided by a competent court, the rule of *stare decisis* is a bar to any attempt to relitigate the same.” (Underscoring supplied; citations omitted)

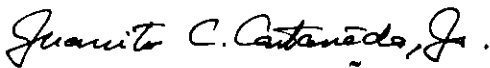
Accordingly, the principle applies where the same questions relating to the same event have been put forward by the parties similarly situated as in a previous case litigated and decided by a competent court.⁶

In other words, the application of legal precedent does not demand exactness of facts in all cases. It only requires that the facts be substantially the same. To require otherwise would result in the absurd situation where case law cannot develop to govern matters and issues that are fundamentally alike. “The doctrine of precedents is fundamental to our legal system. It provides certainty while permitting the orderly development of the law in incremental steps.”⁷

Finally, it is worthy to emphasize that adherence to judicial precedents is the general rule and abandonment thereof is the exception. As such, abandonment must be based only on strong and compelling reasons, otherwise, the becoming virtue of predictability which is expected from this Court would be immeasurably affected and the public’s confidence in the stability of the solemn pronouncements diminished. Verily, only upon a showing that circumstances attendant in a particular case override the great benefits derived by our judicial system from the doctrine of *stare decisis*, can the courts be justified in setting aside the same.⁸

WHEREFORE, premises considered, petitioner’s motion is **DENIED** for lack of merit. The assailed decision dated January 10, 2020 is **AFFIRMED**.

SO ORDERED.


JUANITO C. CASTAÑEDA, JR.
Associate Justice

WE CONCUR:


ROMAN G. DEL ROSARIO
Presiding Justice

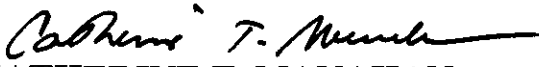
⁶ *Id.*

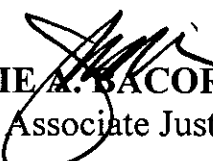
⁷ *Light Rail Transit Authority v. Quezon City, represented by the City Treasurer and the City Assessor*, G.R. No. 221626, October 9, 2019.

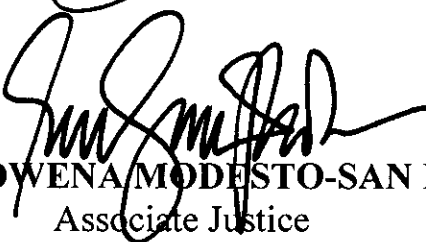
⁸ *Carmelo F. Lazatin, et al. v. Hon. Aniano A. Desierto as Ombudsman, et al.*, G.R. No. 147097, June 5, 2009.


ERLINDA P. UY
Associate Justice

ON LEAVE
MA. BELEN M. RINGPIS-LIBAN
Associate Justice


CATHERINE T. MANAHAN
Associate Justice


JEAN MARIE A. SACORRO-VILLENA
Associate Justice


MARIA ROWENA MODESTO-SAN PEDRO
Associate Justice