

REPUBLIC OF THE PHILIPPINES
COURT OF TAX APPEALS
QUEZON CITY

GOLDEN DONUTS, INC.,
Petitioner,

- versus -

C.T.A. CASE NO. 5093

COMMISSIONER OF INTERNAL
REVENUE,
Respondent.

Promulgated:

OCT 13 1994

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RESOLUTION

Considering the order in open court on October 5, 1994, dismissing this case for non-appearance and failure to prosecute on the part of petitioner and the motion of petitioner to withdraw its petition for review filed on the same day on the ground that the petitioner's witness, the independent certified public accountant who audited and examined the books of accounts of the petitioner for the taxable year 1991, was sent to the United States as part of a staff exchange program and is not expected to return in time for the scheduled hearing set on 5 October 1994 or in the near future, and

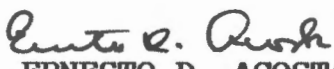
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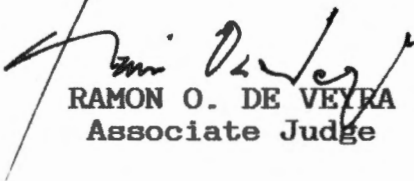
RESOLUTION
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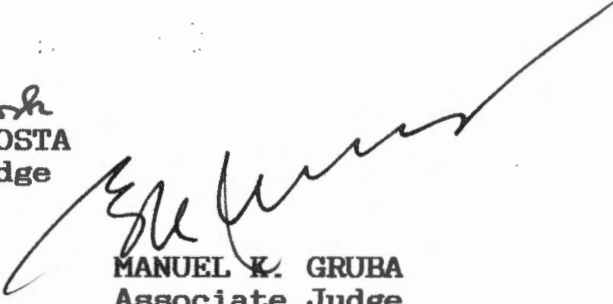
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praying that the withdrawal of its petition for review shall be without prejudice to refiling the case before this court, the Court resolved to grant the withdrawal of petitioner's petition without prejudice to refiling the same if it has not yet prescribed by operation of law.

SO ORDERED.


ERNESTO D. ACOSTA
Presiding Judge


RAMON O. DE VEYRA
Associate Judge


MANUEL K. GRUBA
Associate Judge

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