

REPUBLIC OF THE PHILIPPINES
COURT OF TAX APPEALS
QUEZON CITY

100 BOXES BANGUS FRY AND ONE(1)
AIRCRAFT DC-3 TYPE, REGISTRY NO.
RPC-132,

Petitioner,

- versus -

C.T.A. CASE NO. 4003

COMMISSIONER OF CUSTOMS,
Respondent.

x - - - - - x

8/30

R E S O L U T I O N

Acting on respondent's oral motion to dismiss the above-entitled case on July 21, 1989 for non-appearance and for failure on the part of petitioner's counsel to prosecute his case despite proper notice of said hearing, and it appearing that:

1. This case has been pending since November 29, 1985;
2. It had already been dismissed on October 5, 1988 for non-appearance of both parties and lack of interest on the part of petitioner's counsel to prosecute his appeal although, in the interest of justice, reconsidered but with stern warning that a repetition of the same or similar default or omission would not be countenanced by the Court;

3. Again on July 21, 1989 petitioner's counsel failed to appear despite proper notice of its hearing, which is tantamount to trifling with the dignity of judicial proceedings and the orders of the Court;

4. Section 2.2 of Administrative Circular No. 1 dated January 28, 1988 of the Supreme Court is emphatic on the observance of a strict policy on postponements to avoid unnecessary

RESOLUTION -
CTA CASE NO. 4083

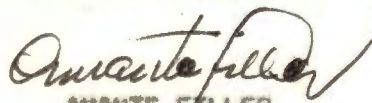
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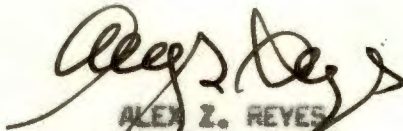
delays in court proceedings, and faithful adherence to Sections 3, 4 and 5 of Rule 22 of the Rules of Court.

ACCORDINGLY, upon motion of respondent, the Court hereby orders the dismissal of the above-entitled case with prejudice for non-appearance and lack of interest on the part of petitioner's counsel to prosecute his appeal. The dismissal is final.

SO ORDERED.

Quezon City, Metro Manila, August 30, 1989.


AMANTE FILLER
Presiding Judge


ALEX Z. REYES
Associate Judge

(On Leave)
CONSTANTE C. RODRIGUEZ
Associate Judge