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FAR EAST BANK AND TRUST COMPANY,
Petitioner,

- versus -

C.T.A. CASE NO. 3740

THE COMMISSIONER OF INTERNAL REVENUE,
Respondent.

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8/23

R E S O L U T I O N

After careful consideration of the "Manifestation And Motion" filed by petitioner on June 22, 1989 praying that the above-entitled case be considered close and terminated on the ground that the two remaining issues have already been settled; and the manifestation/comment of respondent filed on August 8, 1989, interposing no objections thereto, this Court hereby resolves to GRANT petitioner's motion.

It appears from the records of this case that the first issue regarding the 1975 deficiency 15% withholding tax at source on foreign interest expense, including interest and surcharge, totelling P1,803,854.46 (basic tax of P1,079,972.76) has been settled through compromise, with petitioner paying 15% of the basic deficiency withholding tax or P161,995.91, as evidenced by BIR Payment Order No. C 4669667 and Confirmation Receipt No. B 16572020 dated May 29, 1989. While the second and last issue regarding the 1975 deficiency real estate dealer's fixed tax amounting to P3,051.50, inclusive of interest and surcharge, has already been paid, after

RESOLUTION -
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receipt of the pre-assessment notice, on April 21, 1983 with BIR Payment Order No. B 0696750 and Confirmation Receipt No. B 346123 as proof of payment in the amount of P2,857.50 (Exhibits Q, Q-1, Q-2, R, R-1, S and T), the interest thereof up to April 21, 1983, were included on the date of payment.

ACCORDINGLY, let this case be dismissed, and the same considered closed and terminated.

SO ORDERED.

Quezon City, Metro Manila, August 23, 1989.

AMANTE FILLER
Presiding Judge

ALEX Z. REYES
Associate Judge

(On Leave)
CONSTANTE C. ROAQUIN
Associate Judge