

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

**TOKIO MARINE MALAYAN
INSURANCE COMPANY, INC.
(formerly PAN MALAYAN
INSURANCE CORPORATION),
Petitioner,**

- versus -

C.T.A. CASE NO. 6856

**COMMISSIONER OF INTERNAL
REVENUE,
Respondent.**

Promulgated:

SEP 09 2004

MA Palmaria

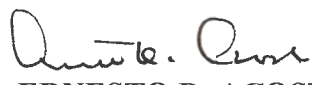
x ----- x

RESOLUTION

Confirming the order of this court on September 3, 2004, petitioner's "Manifestation with Omnibus Motion," filed on August 4, 2004, praying for the consolidation of this case with CTA Case No. 6973 and CTA Case No. 6996, is hereby **DENIED** finding no merit to said motion and considering the objection raised by respondent's counsel. The oral motion of respondent's counsel seeking for the dismissal of this case for failure of petitioner to prosecute is hereby **GRANTED**.

ACCORDINGLY, this case is **DISMISSED** for failure of petitioner to prosecute in view of the several postponements filed by petitioner's counsel for four (4) consecutive times and the absence of petitioner's counsel during the hearing on September 3, 2004 despite the warnings issued by the court.

SO ORDERED.


ERNESTO D. ACOSTA
Presiding Justice


LOVELL R. BAUTISTA
Associate Justice


JUANITO C. CASTAÑEDA, JR.
Associate Justice

63