

REPUBLIC OF THE PHILIPPINES
COURT OF TAX APPEALS
QUEZON CITY

EN BANC

COMMISSIONER OF CTA EB NO. 3002
INTERNAL REVENUE, (CTA Case No. 10353)
Petitioner,

Present:

-versus-

RINGPIS-LIBAN, P.J.,
BACORRO-VILLENA,
MODESTO-SAN PEDRO,
REYES-FAJARDO,
CUI-DAVID,
FERRER-FLORES, and
ÁNGELES, JJ.

KEPWEALTH, INC.
Respondent.

Promulgated:

FEB 18 2026

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RESOLUTION

CUI-DAVID, J.:

Before the Court *En Banc* is petitioner's *Motion for Reconsideration (Re: Decision dated 23 September 2025)*¹ [*Motion for Reconsideration*], filed through registered mail on October 20, 2025, with respondent's *Opposition (to the Motion for Reconsideration (Re: Decision dated 23 September 2025))* dated October 17, 2025² [*Opposition*], personally filed on November 24, 2025.

Petitioner seeks the reversal of the Court *En Banc*'s *Decision* dated September 23, 2025,³ which denied the *Petition for Review* for lack of merit. The assailed *Decision* disposed of the case as follows:

¹ *En Banc* Docket, pp. 195-205.

² *Id.* at 210-223.

³ *Id.* at 172-186.

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WHEREFORE, premises considered, the instant *Petition for Review* filed by the Commissioner of Internal Revenue is hereby **DENIED** for lack of merit.

Accordingly, the assailed *Decision* dated April 17, 2024 and *Resolution* dated September 9, 2024, issued by the Court's Special Third Division in CTA Case No. 10353 are **AFFIRMED**.

SO ORDERED.⁴

In the assailed *Decision*, the Court *En Banc* denied petitioner's *Petition for Review* after finding that the Court in Division did not err in upholding its jurisdiction over the case and ruling that respondent is not liable for donor's tax. The Court *En Banc* affirmed that the respondent's *Petition for Review* was timely filed pursuant to Supreme Court Administrative Circular (SC AC) No. 43A-2020, and that the petitioner's use of an outdated valuation method rendered the donor's tax assessment invalid. It also adopted the Court in Division's declaration that Revenue Regulations (RR) No. 6-2013, rather than RR No. 6-2008, applies in computing the fair market value (FMV) of the subject shares for tax purposes.

Petitioner received the assailed *Decision* on October 3, 2025.⁵

Under Section 1, Rule 15 of the Revised Rules of the Court of Tax Appeals,⁶ petitioner had 15 days from receipt of the assailed *Decision* to file a motion for reconsideration, or until October 20, 2025. The fifteenth day, October 18, 2025, fell on a Saturday; thus, pursuant to the rules on the computation of periods, the deadline was moved to the next working day, which was Monday, October 20, 2025. Petitioner filed its *Motion for Reconsideration* on October 20, 2025, and therefore complied with the prescribed period.

In the present *Motion for Reconsideration*, petitioner urges the Court *En Banc* to review, re-evaluate, revisit, and reconsider its assailed *Decision* on the following grounds:

1. The *Petition for Review* filed by respondent before the Court in Division was belatedly filed;

⁴ *Id.* at 184-185.

⁵ *Id.* at 171.

⁶ SECTION. 1. *Who may appeal and when to file motion.* – Any aggrieved party may seek a reconsideration or new trial of any decision, resolution or order of the Court by filing a motion for reconsideration or new trial within fifteen days from the date of receipt of notice of the decision, resolution or order of the Court in question.



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2. SC AC No. 43A-2020 applies only to petitions or appeals governed by the Rules of Court in accordance with the Supreme Court's power to promulgate procedural rules; and
3. In assessing respondent's alleged deficiency donor's tax, petitioner applied the provisions of RR No. 6-2013, as supplemented by RR No. 6-2008.

In its *Opposition*, respondent submits that the *Motion for Reconsideration* should be denied outright for being a mere rehash of the arguments previously raised by petitioner in his *Petition for Review* before the Court *En Banc* and in his prior submissions before the Court in Division.

Respondent reiterates that SC AC No. 43A-2020 applies to the petition filed before the Court in Division, which was timely filed. It likewise maintains that the Adjusted Net Asset Method prescribed under RR No. 6-2013 is the applicable method for computing the FMV of the shares sold by respondent.

After a careful consideration of the submissions of both parties, the Court finds petitioner's Motion for Reconsideration to be without merit.

A scrutiny of petitioner's motion reveals that, as observed by respondent, petitioner merely reiterates arguments that have already been raised, thoroughly considered, and squarely rejected in the assailed *Decision*.

As petitioner has failed to present any new argument or raise a novel issue that has not been previously scrutinized, studied, and resolved by the Court, there is no compelling reason to modify, much less overturn, the assailed *Decision*.

WHEREFORE, premises considered, petitioner's *Motion for Reconsideration* (Re: *Decision* dated 23 September 2025) dated October 17, 2025, is **DENIED** for lack of merit.

SO ORDERED.



LANEE S. CUI-DAVID
Associate Justice

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WE CONCUR:

Ms. Belen M. Ringpis-Liban

MA. BELEN M. RINGPIS-LIBAN

Presiding Justice

Jean Marie A. Bacorro-Villena

JEAN MARIE A. BACORRO-VILLENA

Associate Justice

Maria Rowena Modesto-San Pedro

MARIA ROWENA MODESTO-SAN PEDRO

Associate Justice

Marian Ivy F. Reyes-Fajardo

MARIAN IVY F. REYES-FAJARDO

Associate Justice

Corazon C. Ferrer-Flores

CORAZON C. FERRER-FLORES

Associate Justice

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HENRY S. ANGELES

Associate Justice