

REPUBLIC OF THE PHILIPPINES
COURT OF TAX APPEALS
QUEZON CITY

FIRST DIVISION

**HANA CONSTRUCTION &
DEVELOPMENT CORPORATION**
Unit 1002-A, Landmark II, Valle
Verde II, Ugong, Pasig City, Metro
Manila, represented by its Corporate
Secretary, Ms. Mary Jane A.
Taguitang,

Petitioner,

C.T.A. CASE NO. 8627

Members:

- versus -

Del Rosario, *Chairperson*,
Uy, *and*
Mindaro-Grulla, JJ.

BIR – REVENUE REGION 7 –
Assessment Division, Quezon City,
Respondent.

Promulgated:

NOV 05 2013; 1:47 p.m.

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RESOLUTION

In today's scheduled hearing for the continuation of the presentation of petitioner's evidence, only Mr. Victor Calalung appeared without the appearance of counsel. The respondent is duly represented by Atty. Lorna San Buenaventura Cruz.

The Court notes that at the scheduled hearing on September 26, 2013, the petitioner already manifested that there was an ongoing proposal for the settlement of the case. In view of that manifestation, the parties particularly the petitioner was directed to submit a status of the proposed settlement within ten (10) days from that date or until October 6, 2013. No compliance with the directive was made by the petitioner.

Likewise, at the last scheduled hearing on September 26, 2013, the Court noted that the Judicial Affidavit of Mr. Calalung failed to comply with the Judicial Affidavit Rule. For which reason, the presentation of Mr. Calalung as a witness was deferred with a directive that an Amended Judicial Affidavit be filed with the Court five (5) days before November 5, 2013. Again, no compliance was made.

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Petitioner's counsel has been duly notified of today's hearing. Nonetheless, petitioner's counsel did not appear.

For failure to comply with the lawful orders of this Court and for failure to prosecute, upon motion of the respondent, the case is hereby **DISMISSED**.

SO ORDERED.


ROMAN G. DEL ROSARIO
Presiding Justice


ERLINDA P. UY
Associate Justice


CIELITO N. MINDARO-GRULLA
Associate Justice