

REPUBLIC OF THE PHILIPPINES  
COURT OF TAX APPEALS  
Quezon City

SECOND DIVISION

ENERGY DEVELOPMENT  
CORPORATION,

Petitioner,

- versus -

CTA CASE NO. 10141

Members:

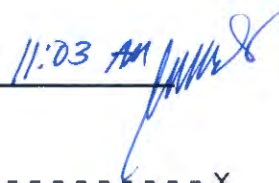
CASTAÑEDA, JR., *Chairperson*,  
MINDARO-GRULLA, *and*,  
BACORRO-VILLENA, JJ.

COMMISSIONER OF  
INTERNAL REVENUE,

Respondent.

Promulgated:

OCT 23 2019

11:03 AM 

X ----- X

**RESOLUTION**

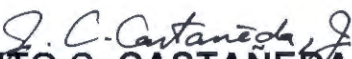
For resolution is petitioner's **Motion to Withdraw Petition for Review**, filed on 12 September 2019, with respondent's **Manifestation [Re: Petitioner's Motion to Withdraw Petition for Review]**, filed on 04 October 2019, in lieu of his comment.

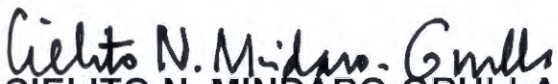
In its motion, petitioner avers that it filed the Petition for Review on 26 July 2019, appealing respondent's partial denial of its claim for refund amounting to ₱42,934,183.67 relative to the excess unutilized input VAT for the 1<sup>st</sup> calendar quarter of 2017 (attributed to its zero-rated sales). After further evaluation of the case, however, petitioner has decided not to pursue the Petition for Review. It is noteworthy that at the time of filing of the said motion, respondent has yet to file his Answer.

In the Manifestation, respondent submits the resolution of the above-stated motion to the sound discretion of this Court.

**WHEREFORE**, petitioner’s Motion to Withdraw Petition for Review is **GRANTED**. Accordingly, the instant Petition for Review is hereby **WITHDRAWN** and this case is considered **CLOSED AND TERMINATED**.

**SO ORDERED.**

  
**JUANITO C. CASTANEDA, JR.**  
Associate Justice

  
**CIELITO N. MINDARO-GRULLA**  
Associate Justice

  
**JEAN MARIE A. BACORRO-VILLENA**  
Associate Justice