

THIRD DIVISION

[G.R. No. 178461, June 22, 2009]

**CALIFORNIA MANUFACTURING COMPANY, INC., PETITIONER,
VS. THE CITY OF LAS PIÑAS AND THE HON. RIZAL Y. DEL
ROSARIO, CITY TREASURER, RESPONDENTS.**

RESOLUTION

NACHURA, J.:

For our consideration and approval is a Joint Petition^[1] [Motion] to Withdraw Petition for Review on *Certiorari* dated February 5, 2008.

Earlier, or on June 21, 2007, petitioner filed a Petition^[2] for Review on *Certiorari* questioning the assessments issued by the City of Las Piñas through the City Treasurer for local and real property taxes in the amount of P73,043,634.47.

After filing of the required Comment^[3] and Reply^[4], we gave due course to the Petition and directed both parties to submit their respective memoranda^[5].

During the pendency of this case, petitioner offered to compromise the case by paying fifty percent (50%) of the amount assessed. Since petitioner's factory in Las Piñas had already ceased operations and in order to facilitate the issuance of the clearance for the cessation of its business, the decision to enter into a compromise was adopted by the respondents.

Through City Resolution No. 2385-08^[6], the City Council of Las Piñas approved the compromise offer. The City Resolution reads—

Republic of the Philippines
City of Las Piñas
Office of the City Council

Sponsored by: Honorable Councilors Luis I. Bustamante, Renato P. Dumlao, Danilo V. Hernandez, Eduardo P. Lezarda, Dennis S. Aguilar, Alfredo L. Miranda, Ruben C. Ramos, Rex H. Riguera, Oscar C. Peña, Leopoldo F. Benedicto, Demetrio R. Cristobal, Filemon A. Aguilar, Jr., and Donna Kris R. Alfonso.

CITY RESOLUTION NO. 2385-08
Series of 2008

A RESOLUTION APPROVING THE REQUEST OF CALIFORNIA

MANUFACTURING COMPANY, INC., FOR THE SETTLEMENT OF ITS REAL PROPERTY AND BUSINESS TAXES LIABILITIES AND AUTHORIZING THE CITY MAYOR AND/OR CITY TREASURER TO ACCEPT IN BEHALF OF THE CITY THE SETTLEMENT OFFER.

WHEREAS, the Law Offices of Siguion Reyna, Montecillo & Ongsiako, thru Atty. Jose Lis C. Leagogo, the lawyers of California Manufacturing Company, Inc., (now owned by Unilever Philippines, Inc.,) proposed for the settlement of G.R. No. 178461 involving the said company and the City Government pending before the Supreme Court of the Philippines;

WHEREAS, accordingly, the company, without admitting liability but solely for the purpose of buying peace and preventing prolonged and contentious litigation, is considering the compromise settlement of the above-mentioned case;

WHEREAS, the proposal is mutually beneficial and convenient to both parties, bringing not only much needed immediate revenue to the City but also de-clogging the Supreme Court's dockets and assisting and alleviating the plight of investors who had undergone financial distress;

NOW, THEREFORE:

BE IT RESOLVED AS IT IS HEREBY RESOLVED by the Sangguniang Panlungsod of Las Piñas, in session assembled, to approve, as it hereby approves the request of California Manufacturing Company, Inc., (now owned by Unilever Philippines, Inc.,) thru Atty. Jose Lis C. Leagogo of Siguion Reyna, Montecillo & Ongsiako Law Offices, to amicably settle its real property and business income taxes liabilities.

RESOLVED, to authorize as it hereby authorizes the City Mayor and/or City Treasurer to accept in behalf of the City the settlement offer and enter into any compromise agreement, as the case may be, to implement the settlement.

RESOLVED, ALSO, to authorize the City Legal Officer, Atty. Zardi Melito D. Abellera, to file the necessary pleading in the Supreme Court of the Philippines in support of the Compromise Agreement.

RESOLVED, FURTHER, that copies of this Resolution be furnished the Honorable Mayor of the City of Las Piñas, the City Treasurer and the City Legal Officer for their appropriate action.

This Resolution shall take effect immediately upon its approval.

ADOPTED by the Sangguniang Panlungsod of Las Piñas in its regular session today, December 11, 2008.

(Signed)
HON. HENRY C. MEDINA
Vice-Mayor & Presiding Officer