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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 4423/2016**

VIKKI CHOUDHRY AND ANR

..... Petitioners

Through: Ms Astha Sehgal, Advocate.

versus

MINISTRY OF INFORMATION & BROADCASTING AND ORS

..... Respondents

Through: Mr Anil Soni, CGSC with Mr Vinod Tiwari, Advocate for respondent no.1.
Mr Dayan Krishnan, Sr. Advocate with Ms Shilpa Gupta, for respondent no.3.
Mr Sudhir Nandrajog, Sr. Advocate with Ms Payal Kakra, Advocates for respondent nos.4 and 5.

CORAM:

HON'BLE MR JUSTICE RAJIV SHAKDHER

HON'BLE MS JUSTICE TARA VITASTA GANJU

ORDER

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25.05.2022

[Physical Hearing/Hybrid Hearing (as per request)]

CM APPL. 42452/2019

1. This is an application for condonation of delay in re-filing the accompanying application i.e., CM No.42450/2019.
- 1.1. The period of delay involved, according to the petitioners, is 18 days.
2. For the reasons given in the above-captioned application, the delay is condoned.
3. The application is, accordingly, disposed of.

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CM APPL. 42450/2019

4. This is an application seeking restoration of the writ petition that was dismissed on 25.07.2019.

4.1. This application was filed, in and about 23.08.2019.

5. Mr Sudhir Nandrajog, learned senior counsel, who appears on behalf of respondent nos. 4 and 5, says there has been both non-appearance and non-prosecution, which was the reason the writ petition was dismissed.

5.1. The assertion made in the application, *inter alia* is that the accompanying writ petition was tagged with a batch of writ petitions and, therefore, there was no representation on behalf of the petitioners on certain dates.

5.2. Insofar as the date in issue is concerned i.e., 25.07.2019, it is the assertion of the counsel for the petitioners that he could not remain present in Court on that date on account of a 'family emergency.'

6. Having regard to the fact that the application for restoration has been filed within a reasonable time, and the reason given by the counsel for the petitioners for his absence, we are inclined to recall the order dated 25.07.2019.

6.1. It is ordered accordingly.

6.2. The writ petition shall stand restored to its original number and position.

7. The application is disposed of in the aforesaid terms.

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8. We are told that notice has not been issued in the writ petition. The counsels for the respondents say they want to oppose the issuance of notice.

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9. We are told by the counsel for the respondents that in the connected matters, challenge has been laid to the *vires* of Standards of Quality of Service (Duration of Advertisements in Television Channels) Regulations, 2012 and Standards of Quality of Service (Duration of Advertisements in Television Channels) (Amendment) Regulations, 2013.

9.1. Counsels for the respondents also submit that the issues in the so-called connected matters are not identical to those which arise in the instant case.

10. It appears that this matter came before the Division Bench, pursuant to the order dated 19.05.2016 passed by the Learned Single Judge, based on the contention of the learned counsel for the petitioners that the issue involved in the present matter is similar to the issue involved in the connected writ petition i.e., WP(C.) 7982/2013.

11. On the next date of hearing, we will consider as to whether the matter should be remitted to the Learned Single Judge for hearing.

12. List the matter on 18.08.2022.

RAJIV SHAKDHER, J

TARA VITASTA GANJU, J

MAY 25, 2022 / tr

Click here to check corrigendum, if any