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

+ **CS(COMM) 371/2025**

T.V. TODAY NETWORK LIMITED

.....Plaintiff

Through: Mr. Hrishikesh Baruah, Mr. Utkarsh Dwivedi, Mr. Kumar Kshitij, Ms. Pragya Agarwal, Ms. Nishtha Sachan and Mr. Yashasury Ghosh, Advocates.

versus

ABP NETWORK PRIVATE LIMITED

.....Defendant

Through: Ms. Nancy Roy, Advocate.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

27.03.2026

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I.A. 3217/2026

1. This application is filed on behalf of the Plaintiff under Rule 5 Chapter VII of The Delhi High Court (Original Side) Rules, 2018 read with Section 151 CPC seeking condonation of delay of 3 days in filing the replication.
2. Ms. Nancy Roy, learned counsel for Defendant opposes the application on the ground that *albeit* the replication was filed within 45 days but was not accompanied by condonation of delay application, which was filed with the delay of 3 days.
3. After hearing the learned counsels for parties, this Court finds no merit in the contention of the Defendant. It is trite that where the replication is filed within outer limit of 45 days, merely not filing an application



seeking condonation of delay, will not make the filing *non-est*. This is merely a procedural defect and curable. In this context, I may refer to the view of this Court in *Neeraj Saran Srivastava and Another v. Loudon Owen and Others 2025 SCC OnLine Del 228*.

4. Accordingly, the delay of 3 days is condoned and the replication is taken on record.

5. Application stands disposed of.

I.A. 10219/2025

6. Pleadings are complete.

7. List for hearing on 24.07.2026.

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8. List on 24.07.2026.

JYOTI SINGH, J

MARCH 27, 2026/VP/AK