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

+ **CS(OS) 813/2025, I.A. 28249/2025 & I.A. 3631/2026**

DEEPAK KUMAR MAAN

.....Plaintiff

Through: Mr. Arjun Singh Bawa, Mr. Sahil Gupta, Mr. Siddhartha and Ms. Apoorva Pradhan, Advs.
M: 9768777845

versus

VIKRANT KHANNA

.....Defendant

Through: Ms. Zeba Khair and Ms. Harshita Singhal, Advs.
M: 7602025354

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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24.02.2026

I.A. 3631/2026 (Seeking condonation of delay of 15 days in filing the replication)

1. The present application has been filed seeking condonation of delay of fifteen days in filing the replication and affidavit of admission/denial of the defendant's documents.
2. At the outset, this Court records the objection of learned counsel appearing for the defendant that the application has been filed under the wrong provision. She submits that the correct provision would be Rule 5 of Chapter VII of Delhi High Court (Original Side) Rules, 2018.
3. Considering the submissions made before this Court, the present application is treated as an application under Chapter VII Rule 5 of Delhi High Court (Original Side) Rules, 2018, as the Court has the authority to



exercise its jurisdiction in terms of the said Rule and deal with an application seeking extension of time/condonation of delay in filing the replication.

4. Learned counsel appearing for the plaintiff submits that the thirty days period for filing the replication expired on 19th January, 2026. The replication has been filed on 03rd February, 2026, however, within the extension period of fifteen days, as prescribed in the aforesaid provision.

5. Learned counsel appearing for the defendant vehemently opposes the present application and submits that no exceptional or unavoidable reason has been shown by the plaintiff, except the fact, that the plaintiff was suffering from ill health and was physically unfit.

6. She further submits that during the period of thirty days which was the statutory period, the plaintiff was also involved in a scuffle.

7. Having heard learned counsel appearing for the parties, this Court notes that Rule 5 of Chapter VII of the Delhi High Court (Original Side) Rules, 2018 prescribes the outer limit for filing the replication to be forty five days. Under the aforesaid rules, the replication is to be filed within thirty days from the receipt of the written statement and Court has the discretion to condone delay not exceeding fifteen days, if a party is able to show sufficient cause.

8. This Court notes the submission of learned counsel appearing for the defendant that the plaintiff was in a physical scuffle during the period of initial thirty days.

9. However, there is nothing on record that during the period of fifteen days, for which period condonation is sought before this Court, the plaintiff was involved in any such physical scuffle.



10. This Court notes the submission made on behalf of the plaintiff that the plaintiff was suffering from ill health during the relevant period.

11. It is to be noted that the replication has been filed by the plaintiff within the outer limit of forty five days, in terms of the Delhi High Court (Original Side) Rules, 2018, with delay of fifteen days in filing the replication.

12. Accordingly, exercising the discretion of this Court, the delay of fifteen days in filing the replication along with the affidavit of admission/denial of documents of the defendant, is condoned.

13. However, considering the facts and circumstances of the present case, the delay in filing the replication is condoned subject to cost of Rs. 15,000/-, payable by the plaintiff to the counsel for the defendant, within a period of one week, from today.

14. With the aforesaid directions the present application is according disposed of.

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15. This Court notes that additional documents filed on behalf of the defendant have been taken on record recently.

16. Accordingly, liberty is granted to the plaintiff to file affidavit of additional admission/denial of additional documents of the defendant, within a period of four weeks, from today.

17. List before the Joint Registrar (Judicial) on 25th March, 2026.

MINI PUSHKARNA, J

FEBRUARY 24, 2026/KR