



2025:DHC:2966



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

Date of Decision: 25.04.2025

+ **C.R.P. 139/2022, CM APPL. 40008/2022**

DAINIK TRIBUNE

.....Petitioner

Through: Mr. Neeraj Kumar Gupta, Mr.
Akshaya Agarwal, Mr. Ranjeet Singh,
Adv. for P-1

Mr. Dhruv Chawla, Adv. for P-2

versus

AMIT SUNEJA & ORS.

.....Respondents

Through: Ms. Srishti Saini, Adv. for R-1 & 2

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

TARA VITASTA GANJU, J.: (Oral)

1. The present Petition has been filed by the Petitioner seeking to challenge an order dated 12.07.2020 passed by Ld. Civil Judge-04, Tis Hazari Courts, Delhi [hereinafter referred to as 'Impugned Order']. By the Impugned Order, the learned Trial Court has held that the suit as filed by the Respondent Nos.1 and 2 (Plaintiffs before the learned Trial Court) is maintainable against the Petitioners (Defendant Nos. 3 and 5).

2. Learned Counsel for the Petitioners do not dispute the fact that the Impugned Order was passed on the basis of oral averments. It is the contention of the Petitioners that the Respondent No.1/Plaintiff had sued a newspaper(s) for printing defamatory content. However, instead of suing the newspaper(s) through its Editor-in-Chief or the printer or the publisher as is the requisite mandate of the Press and Registration of Books Act, 1867, the suit has been naming the newspaper(s) itself as party. Thus, it is contended by the Petitioners that the suit as filed is not maintainable.



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3. Learned Counsel for the Respondent Nos.1 and 2, on the other hand, submits that the Petitioners, time and again, have been delaying the adjudication of the proceedings. Learned Counsel further submits that a suit for defamation has been filed on behalf of the Respondent No 1 and 2 and that a defamatory article was published on the website of the Petitioners.

4. After some arguments, learned Counsel or the parties submit that in the interest of expediency, the Petitioners would raise their grievances afresh before the learned Trial Court and the present Petition may be disposed of, granting the liberty to do so.

5. Accordingly, the following directions are passed:

(i) The Petitioners are permitted to take appropriate steps within a week from today, to raise their contentions *qua* maintainability of the suit filed.

(ii) The Respondents are at liberty to defend such pleading/Application when filed, within a period of two weeks thereafter.

6. The learned Trial Court is requested to adjudicate the Application filed by the Petitioners in accordance with law at the time of final hearing of the matter.

7. The present Petition is disposed of in the foregoing terms. The pending Application also stands closed.

8. It is clarified that this Court has not examined the merits of the matter. The rights and contentions of both parties are left open in this regard.

9. The parties shall act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

APRIL 25, 2025/jn

[Click here to check corrigendum, if any](#)