

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.406 OF 2024

WITH

CONTEMPT PETITION NO.511 OF 2025

IN

CONTEMPT PETITION NO.406 OF 2024

WITH

CONTEMPT PETITION NO.417 OF 2024

WITH

CONTEMPT PETITION NO.407 OF 2024

WITH

CONTEMPT PETITION NO.408 OF 2024

Abhinav Angirish

.....*Petitioner*

: *Versus* :

Aditya Kedia

....*Respondent*

Mr.Rahul Kamerkar with *Ms.Aparajita R. Jha* for the *Petitioner*.

Mr.Rohan Savant with *Ms.Ishaan Choudhary i/b Legal* for the
Respondent.

CORAM : SANDEEP V. MARNE, J.

DATED : 25 SEPTEMBER 2025.

P.C :

1) Heard the learned counsel appearing for the parties.

2) For the following three reasons, I am not inclined to exercise contempt jurisdiction in the present Petitions.

- (i) The order dated 22/02/2024 passed by the Magistrate provides for remedy for the Petitioner to recover the amount from the Respondent as per Section 421 of the Code of Civil Procedure, 1908.
- (ii) It is one of the defences of the Respondent that a separate deposit has been made in parallel proceedings and the Respondent cannot be made to pay multiple amounts arising out of same transaction. It is contended that the Petitioner can apply for withdrawal of the deposited amount in the parallel proceedings.
- (iii) It is also one of the defences of the Respondent that the cheques were issued towards attempted settlement, which has ultimately failed.

3) In my view, therefore, the case does not involve willful disobedience of the order passed by the learned Magistrate. Even otherwise, the Petitioner has alternate mechanism of enforcing the order passed by the learned Magistrate. In that view of the matter, I am not inclined to exercise contempt jurisdiction. The contempt proceedings are accordingly closed.

4) It is, however, clarified that the alternate remedies exercised by the Petitioner shall be decided without being influenced by any of the observations made in the present order and in an expeditious manner.

[SANDEEP V. MARNE, J.]