



COCP-2162-2026

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(110)

COCP-2162-2026

Date of decision: - 06.05.2026

Moneywise Financial Services Pvt. Ltd.

....Petitioner

Versus

Surender Kumar and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Shobit Phutela, Advocate,
for the petitioner.

VIKAS BAHL, J. (ORAL)

1. Present contempt petition has been filed under Section 10 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India for non-compliance of the order dated 09.06.2023 (Annexure P-2).

2. Section 20 of the Contempt of Courts Act, 1971 reads as under: -

“20. Limitation for actions for contempt. - No court shall initiate contempt any proceedings of contempt, either on its own motion or otherwise, after the expiry of a period of one year from the date on which the contempt is alleged to have been committed.”

3. In the present case, it is not disputed that the period of one year has already elapsed from the date of passing of the order dated 09.06.2023.



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4. A perusal of the paper-book would show that the petitioner had filed a contempt petition before the Judicial Magistrate, First Class, Gurugram and vide order dated 29.08.2025, the said contempt petition was dismissed with the following observations: -

“12. If recovery has not yet been achieved, the remedy available to the petitioner is to pursue execution further in accordance with Sections 421 & 431 Cr.P.C., or to approach the Hon'ble High Court in writ jurisdiction for enforcement. Contempt jurisdiction is not meant to substitute the process of recovery.

*13. In view of the above discussion, this Court finds that no case of willful disobedience is made out. The present contempt petition is therefore **dismissed**.*

The petitioner is, however, at liberty to pursue execution through appropriate legal remedies under the Cr.P.C. or before the Hon'ble High Court.

*Announced in open Court.
Dated: 29.08.2025”*

5. The said order has not further been challenged by the petitioner.

6. Learned counsel for the petitioner has submitted that in view of the same, the petitioner be permitted to withdraw the present contempt petition with liberty to seek alternate remedy in accordance with law.

7. Dismissed as withdrawn, with the aforesaid liberty.

May 06, 2026
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No