**Form of a notice on behalf of an individual by an Advocate**

To,

Shri………………….

……………………..

Dear Sir,

On behalf of my/our clients Shri………..……………………………… S/o. Shri…………………………………. R/o………………………..I/We like to serve upon you the following notice :

1. That you are purchasing consumer Goods from my/our client on credit basis from time to time from last numbers of years.

2. My/Our books of account shows an amount of Rs………………. is due to you upto ……….[date] towards the said goods supplied to you.

3. To fulfill you liabilities you have issued a cheque being No……………. dated…………… of Rs…………. drawn on ………………………..Bank …………… Branch, in my/our favour.

4. That the said cheque was deposited with the bank by my/our client for payment on……………… However, to his/their surprised that the said cheque was returned unpaid on………………….. on account of insufficiency of funds in your account.

5. That you apologized to our client for the dishonour of the cheque and promise to deposit sufficient amount in your bank so that cheque could be realised and request to represent again. As per your assurance and instructions, the said cheque was re-deposited again by our client on……………….. However, it is a matter of extrem regret that the said cheque was dishonoured again…………………….with the remarks “Refer to drawer”.

6. That the above facts make it abundantly clear that you have mischievously and intentionally issued the aforesaid cheques with ulterior designs and further instructed our client to present the same for encashment again, knowing fully well that the said cheques would not be honoured on presentation on account of insufficiency of funds in your account or that it would exceed the amount arranged to be paid from that account.

7. That on account of the above acts, you are liable to be prosecuted under section 138 of the Negotiable Instruments Act, 1881 under which you are liable to be punished with imprisonment for a term which may extend to one year or with fine, which may extend to twice the amount of the cheque or with both.

Under the circumstances, I/We hereby call upon you to make the payment of Rs………… covered under dishonour cheque to my/our client within period of 15 days of receipt hereof, failing which, we have definite instructions from my/our client to take necessary action against you in the competent court of law, and in that event, you shall be liable for all the costs and consequences.

You are also liable to pay a sum of Rs……………..towards cost of this notice.

Yours truly,

ADVOCATE