**RUPAM JYOTI SARMA Mobile: 9706217462**

**Advocate, Gauhati High Court E-mail:** [**advrjsarma@gmail.com**](mailto:advrjsarma@gmail.com)

**Registered with A/D**

**Date: 14th October 2016**

**To**

**The Director(Marketing)**

**Waves Bio-Tech (P) Ltd.,**

**418, Bhera Enclave,**

**Paschim Vihar,**

**New Delhi, PIN- 110078**

SUB:LEGAL NOTICE

**My Client:**

**Mr. Jayanta Kumar Das**

**Proprietor of M/s Das Medical Stores ,**

**Kandarpa Bhaban,**

**Barpeta Road,**

**District: Barpeta (Assam)**

Dear Sir,

Under instruction for and on behalf of my client **Mr. Jayanta Kumar Das,** I do hereby give you this notice as follows:

1. That my client is the proprietor of M/s Das Medical Store, situated at Kandarpa Bhaban, Barpeta Road, Barpeta, Assam.
2. That my client is the authorized stockiest of your company viz. **‘Waves Bio-Tech (P) Ltd.’** and is continuing its business with your reputed company for more than 15(Fifteen) years and is pressing ahead to maintain a healthy and clean business environment.
3. That my client sought for an account statement for the year 2015-2016 from your C.A (Consignee Agent) i.e. M/s Peak Agencies, Panbazar, Guwahati, and accordingly the same was provided. Perusing the statement reveals/reflects that a Credit Note bearing no. 68, dated **30.11.2015**, amounting to Rs. **28865.00** (Twenty eight thousand eight Hundred sixty five) only, was claimed in the name of my client and has already been deducted. The true state of affair is that my client neither made any claim in his pad under his seal and signature or otherwise

-2-

against which the above mentioned Credit Note was prepared nor any article/goods was sent to the above mentioned C.A(Consignee Agent), against the above mentioned Credit Note.

1. That surprisingly, another Credit Note bearing same No:-68,but dated **06.11.2015**, amounting to Rs. **28863**/- (Twenty eight thousand eight Hundred sixty three) only, was issued in the name of my client again, but in this occasion too my client never made any claim under his seal and signature or otherwise against which the above mentioned Credit Note dated **06.11.2015** was prepared nor any article/goods was sent to the above mentioned C.A (Consignee Agent), against the Credit Note dated **06.11.2015**. It is matter of great concern that how two (2) credit notes bearing the same number with different dates, amounts and products has been prepared and claimed.
2. That my client thereafter has sent letters/representations dated **05.03.2016** and **20.03.2016** respectively addressing you to your above mentioned address and also by e-mail (via. Email-i.d. wbthrdeptt@gmail.com), wherein he has stated/explained the entire facts of the incident and requested you to enquire into the matter. But unfortunately no positive response/communication has been received from your end.
3. That my client initially has verbally informed the matter to Mr. Rabin Ch. Sarma, Divisional Manager, Waves Bio-Tech (P) Ltd., but Mr. Rabin Ch. Sarma has requested my client not to inform about the matter to any one and he offered to settle the matter by mutual ‘give and take’ policy. The request of Mr. Sarma was stoutly rejected by my client.
4. That my client has also communicated about the unfortunate incident by deducting **C.Note Dt. 06/11/2015**  to M/s Peak Agencies, Panbazar, Guwahat. In response to that a reply was received from their end vide letter No**.-PA/2016-2017/205 Dt. 22/08/16** wherein they have informed that as per their records no such Credit Note is pending or issued to my client. But the reality reverted the stand of M/s Peak Agencies as to the extent that if no such credit note has been issued then how a copy of the same is sent to my client from their end which is beyond our understanding.

1. That the action of M/s Peak Agencies, Panbazar, Guwahati, and other Authorities including the Mr. Rabin Chandra Sarma(Divisional Manager), Waves Bio-Tech (P) Ltd. ,Guwahati, clearly reveals that theft has been committed by way of Criminal Conspiracy by making false documents with false signature and for which my client has to incur irreparable loss.The reputation and good will of my client has been inflicted by the acts of the officials and other authorities of your company. It is possible and cannot be overlooked that there may be numbers of such false credit notes which are never been claimed by my client but are prepared

-3-

to gain illegal profit by the concerned authorities/individuals and which are not at all in the knowledge of my client nor he has gained anything from such.

1. That it came to the knowledge of my client that there are a number of incidents which has been committed by the concerned Divisional Manager of your reputed company to hamper my clients business and reputation.
2. That the Mr. Rabin Ch. Sarma (Divisional Manager) and the other authorities of your reputed company are now trying to forbid my client to pursue the matter by spreading rumours to defame my client that my client use foul and illegal means to gain profit. They also threatened my client that they will destroy the business of my client and will compel him to beg in the streets.
3. That, Your Divisional Manager Mr. Robin Ch. Sarma often use to demand money from my client against the bonus issued by your company from time to time. He often threaten my client that he will appoint another stockiest at Barpeta Road to hamper my clients business if my client did not fulfill his demand. As my client did not followed his dictation he has appointed another stokiest at Barpeta Road with special benefits without consulting my client.
4. That my client is undergoing severe mental agony and has to suffer economic loss due to the illegal criminal activities committed by the concerned Authority.
5. That, therefore, my client demands a compensation of  35,00,000/- (Rupees Thirty Five Lakhs Only) for the loss caused to him by your illegal, immoral and fraudulent activity. These losses include economic loss as well as loss due to mental torture, harassment, loss of goodwill and reputation.
6. Please therefore, take this **NOTICE** with the remark that if **within 2 weeks** from the date of delivery of this Notice to you, if you do not compensate for the losses incurred by my client then he shall be compelled to take appropriate legal action (civil and criminal) against your organization, severally and jointly, (in which case you shall be held liable for all costs and incidental charges thereto) for the recovery of the losses incurred as stated above along with any other damages and compensation and extra **costs of litigation** for the case, holding you responsible for the same.

Thanking You

Sincerely Yours,

**(Rupam Jyoti sarma)**

House No. 466, R.K. Vidyapeeth Path, Kalimandir, Hengrabari, Guwahati-781036, Assam, India.