

**AEKANSH SHUKLA
ADVOCATE**

M:9811584330

E-mail: aekanshshuklaa@gmail.com

Ref: CTL/16/439

BY REGD. A.D. / SPEED POST/COURIER

Date:-

Sh.

s/o

R/O :

....Borrower

SUBJECT :-LEGAL NOTICE UNDER SECTION 138 OF THE NEGOTIABLE INSTRUMENTS ACT 1881 READ WITH SECTION 420 OF INDIAN PENAL CODE.

Our client: M/s Capital Trust Ltd. (hereinafter referred to as our client), a Non Banking Finance Company registered with the Reserve Bank Of India and engaged inter alia in the business of providing finance to micro and small enterprises in rural, semi urban and urban areas, having its Head Office at Khasra No. 366 , Sultanpur , Delhi - 110030.

Our client, above named has retained us with instructions to serve upon you, the above named addressee, with the notice under section 138 of The Negotiable Instruments Act read with section 420 of the Indian Penal Code , which we hereby do to the following effect: -

1. That you the addressee entered into the Small Enterprises Loan Agreement bearing No. with our client for expansion or running your business , whereby you agreed to make the payment of the installments on time as per the agreement.
 2. That in order to discharge the liability towards the above said Loan you had issued a Cheque bearing No. dated account number of Rs. drawn on

However, when our client presented the said Cheque in

.for its encashment, to its utter surprise the said

Cheque was returned unpaid by your banker with
remarks "01- FUNDS INSUFFICIENT" vide returning memo dated . The information
regarding such dishonour was received by my client vide cheque returning memo on _____.
_____/____/____.

3. That such a dishonour of the aforesaid cheque is an illegal act on your part and accordingly you may be liable for criminal prosecution as provided under Section 138 of the Negotiable Instruments Act, 1881, as amended upto date, in case the aforesaid cheque amount is not paid to my client within 15 days of receipt of this notice.
 4. That by the act of dishonouring the present Cheque you have not only attracted the provisions of Section 138 of Negotiable Agreement Act, 1881 in which there is provision of fine to the tune of twice the Cheque amount and/or imprisonment for up to 2 years but you are also liable to be prosecuted under Section 420 of IPC, 1860 apart from civil liability.

5. Under these circumstances, I have been instructed by my aforesaid client to call upon you addressee to pay a sum of Rs. [REDACTED] to my client within 15 days of the receipt of this notice, failing which I have definite instructions from my client to initiate legal action against you under section 138 of the Negotiable Instrument Act, 1881, as amended upto date, at your cost, risk and consequences. Copy kept in our office for further necessary legal action.

Thanking you