

Demand Notice under Section 138 of the Negotiable Instruments Act, 1881

Date: [DD MONTH YYYY]

BY REGISTERED POST WITH ACKNOWLEDGEMENT DUE

To,

[NAME OF DRAWER OF CHEQUE]

[ADDRESS — house/flat number, street, locality, city, State, PIN]

Subject: Demand notice under Section 138 of the Negotiable Instruments Act, 1881

Dear Sir / Madam,

Under instructions from and on behalf of my client, [CLIENT NAME], son/daughter of [PARENT NAME], resident of [CLIENT ADDRESS] (hereinafter referred to as “my client”), I serve upon you the following notice:

1. That my client and you have had business / personal dealings, in the course of which a sum of Rs. [AMOUNT IN FIGURES] (Rupees [AMOUNT IN WORDS] only) became payable by you to my client on account of [DESCRIBE TRANSACTION — e.g. unpaid invoice, returned loan, security deposit].
2. Towards discharge of the said liability, you issued a cheque bearing No. [CHEQUE NUMBER] dated [CHEQUE DATE] for Rs. [AMOUNT] drawn on [BANK NAME], [BRANCH] in favour of my client.
3. My client deposited the said cheque for collection with [CLIENT’S BANK NAME], [BRANCH] on [DATE OF DEPOSIT].
4. The said cheque was returned unpaid by your bank vide return memo dated [DATE OF RETURN MEMO] with the reason “[REASON STATED IN MEMO — e.g. funds insufficient / account closed / payment stopped].”
5. The dishonour of the cheque attracts the offence under Section 138 of the Negotiable Instruments Act, 1881 read with Sections 139 and 142.
6. You are hereby called upon to pay the said sum of Rs. [AMOUNT] (Rupees [AMOUNT IN WORDS] only) to my client within 15 (fifteen) days from the receipt of this notice, failing which my client will be constrained to file a complaint against you under Section 138 of the Negotiable Instruments Act, 1881 before the appropriate Court at [JURISDICTION], at your risk as to costs and consequences.
7. A copy of this notice is being kept in my office for record and reference.

Yours sincerely,

[NAME OF ADVOCATE]

Advocate

[CHAMBER ADDRESS]

Enrolment No.: [BAR COUNCIL ENROLMENT NUMBER]

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