



COMPLAINT TO BE FILED AGAINST PARTNERSHIP FIRM AND ITS PARTNERS UNDER SECTION 138 R/W 141 OF THE NEGOTIABLE INSTRUMENT ACT, 1881

NAME AND DESCRIPTION OF THE COURT IN WHICH THE COMPLAINT IS TO BE FILED

IN THE _____ COURT OF _____ AT _____,
CASE NO. _____ OF 20__

_____,)

A Private Limited Company incorporated)

Under the provisions of the Companies)

Act, 1956/2013 and)

having its registered office at)

_____)

_____)

_____,)

represented by its Director)

Mr. _____)...COMPLAINANT

Versus

1. _____, a)

Partnership firm, having its)

office at _____)

_____)

_____)

2. _____ of _____)

Indian Inhabitant, having his)



address at _____)

_____)

3. _____ of _____)

Indian Inhabitant, having his)

address at _____)

_____)

Accused Nos. 2 and 3, being the)

Partners of Accused No. 1)... ACCUSED

CHARGE: U/s.138 of the Negotiable Instruments Act,1981 as amended by the Banking, Public Financial Institutions & Negotiable Instruments Laws (amendment) Act, 1988.

MAY IT PLEASE YOUR WORSHIP:

I, _____, the Director of the Complainant abovenamed do hereby on solemn affirmation state as under:-

1. I am the Director of the Complainant. I am aware of the facts of the case and am able to depose the same. I am authorised to file the present case against the Accused for the reasons as set out hereinafter. Hereto annexed and marked as **Exhibit "A"** is the copy of the Board of Directors' Resolution dated _____ of the Complainant authorizing me to file the present Complaint.

2. The Complainant is a Private Limited Company incorporated under the provisions of the Companies Act, 1956/2013 having its registered office at the address mentioned in the cause title of the Complaint. The Accused No. 1 is a Partnership firm under the provisions of the Indian Partnership Act, 1932 and the Accused Nos. 2 and 3 are the Partners of the Accused No. 1 and are in-charge of and are responsible for the conduct of the business of the Accused No. 1 and are also responsible for the day to day management of the Accused No. 1. The Accused Nos. 1 to 3 are having their respective addresses as mentioned in the cause title of the Complaint.

3. The facts necessitated for filing the present Complaint arises as under:-

- (a) The Complainant is an advertising agency and the Accused are carrying on business as Real Estate Developers/Builders.
- (b) The Accused Nos. 2 and 3 had approached the Complainant on behalf of the Accused No. 1 for advertisements in respect of various real estate projects of the Accused in the name of the Accused No. 1 in various newspapers. Accordingly, at request and confirmation of the Accused Nos. 2 and 3 for and on behalf of the Accused No. 1, the Complainant advertised the said real estate projects in various newspapers as referred in the Invoices. In view of the same, the Complainant raised various invoices, the details of which are as under:-

**PAGES 4 TO 10
NOT AVAILABLE
FOR PREVIEW**

PREVIEW