**Notice Damages CPC 80.doc**

Advocate \_\_\_\_\_\_\_\_\_

Ref: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Dated:\_\_\_\_\_\_\_\_\_\_\_

To:

Legal Notice Under Section 80 CPC

Sir,

Under instructions from my client Sh. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, I am serving you with the following notice in unequivocal terms:-

1. That my client is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Department for last \_\_\_\_\_ years and by dint of his hard work and perseverance got many promotions and presently is holding the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_post/rank of\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_. During entire career as \_\_\_\_\_\_\_\_\_\_\_\_\_\_, my client has earned as many as \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and thus commands good reputation and respectability amongst his superiors, peers and subordinates as well as amongst the people of society as well as his relatives and family members. My client has received \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ appreciations from his superiors for displaying keenness of aptitude and devotion to the profession by means of which he built very good reputation for himself in the assessment of his superior officers and which deservedly earned him promotion to the \_\_\_\_\_post/rank of \_\_\_\_\_. My client has worked in various places, ie; in the \_\_ thus became familiar and well-known \_\_\_\_\_ Officer to the masses. By dint of sheer hard work and good grasp of his subject, accompanied by excellence in the field of work, he has established a fine reputation and has impeccable reputation in the society.

2. That my client is a permanent resident of the State of \_\_\_\_\_\_ and is presently residing at the address mentioned above. My client is in the department of \_\_\_\_\_ of \_\_\_\_\_\_ for over many decades and have long outstanding service career as well as public dealing. During the long career as public servant my client has long record of distinguished and self-less service and is holding the key posts in the department of \_\_\_\_\_\_\_\_. Apart from it all my client is possessing a good reputation amongst the public, his being the public dealing service. The fact that my client has achieved many promotions in his careers and is bound to earn many more promotions, bear the testimony to the fact that my client has good character, moral and exemplary service records throughout. The job of my client is of public dealings and during the course of his duty he has to deal with large numbers of public men coming from various strata of the societies from within and outside the state of \_\_\_\_\_\_. As such my client is well-known to the public. My client has good reputations amongst the people of the State and outside of the state.

3. That you all have jointly got published the news item in your \_\_\_\_\_ daily "\_\_\_\_\_ at Column No. \_\_\_\_\_, page No. \_\_\_\_ dated \_\_\_\_\_ wherein you have stated that "\_\_\_\_\_", which news item is false, frivolous and vexatious with a view to cause damages by way of defamation to the image and reputation of my client by publishing a news item in \_\_your Daily News Paper published in the name and style of "\_\_\_\_\_ dated \_\_\_\_\_, which news item was actuated with the malice intent on your part so as to calculatedly cause irretrievable harm and damage to the reputation, name, fame and standing in the society of my client hereinabove mentioned, which he has painstakingly built over the years.

4. That you have deliberately published the news item in your issue of "\_\_\_\_\_" dated \_\_\_\_\_\_ under the caption '\_\_\_\_\_, which on the face of itself is offensive, obnoxious and smacks of the underlying malice and mischief intended by you so as to tarnish the image and reputation of my client and his other family members and cause embarrassment for them among the public and the said news item was based on conjectures and surmises and in utter disregard of the standards of journalistic norms and ethics, and abuse of freedom of publications. The said news item does not carry a fair report of facts and it rather carries a mal-intention on your part to mud-sling on my client.

5. That the news item has been compiled by you on behest of Sh. \_\_\_\_\_, in collusion with the correspondent Sh. \_\_\_\_\_\_ and the origin of the news items is "\_\_\_\_\_\_" dated \_\_\_\_\_\_.

6. That ever since publication of the above news item in the news paper, my client and his family members have to face embarrassing situation and while going to the public places, such as market etc they have to hear disparaging remarks from the passer-by. There has been a spate of such incidence due to which my client and his family members have to confine themselves to their houses and office and refrain from going to the public places. It is evident that the news item has been designedly and calculatedly published with the underlying mischief of harassing my client and his family members which you have succeeded by damaging the reputation and image of my client publishing the wrong and false news item, which facts are far from truth. The said news item has caused immeasurable mental as well as physical agonies to my client and his family members and lowered down the reputations of my client and his family members in the society, amongst acquaintances, friends, relations and general public and my client and his family members have to face social ostracism because of wrongful act of yours.

7. That the cumulative direct effect of the said act of publication of news items by distortion of facts as mentioned hereinabove, individually as well as jointly by all of you was to totally ruin the career and reputations of my client and obliterate all his contributions to the society and in administration. This news item has no factual basis and is an act of irresponsibility and a brain-wave of an irresponsible person.

8. That so much so that the \_\_\_\_\_ had submitted \_\_\_\_\_his/her contradiction to the above news item on \_\_\_\_\_ by \_\_\_\_\_fax, which you have deliberately not published in your later editions so as the damage intended by you to be caused to the reputation of my client can be perpetuated.

9. That my client is entitled to damages for mental torture, harassment, agony, humiliation, which he and his family members have suffered and are undergoing at present because of wrongful, acts on your part individually and jointly. My client is entitled for damages for defamation, which he had suffered since publication of the news item and word of mouth getting circulated thereafter originating from the news item. My client is entitled for the following amounts which are quantified as under: -

(a) Damages on account of Loss of Reputation - Rs.\_\_\_\_\_\_\_\_ Lakhs.

(b) Damages for mental agonies, torture and physical harassment - Rs. \_\_\_\_\_\_ Lakhs

10 Now please take notice that you either tender your unconditional apology by publishing in the future edition of your above daily or pay the damages to my client as quantified above within \_\_two months on receipt of this notice, failing which my client will be constrained to have recourse to appropriate legal remedies against you at your risk and expense. Please note that cc is retained.

Yours Sincerely,

\_\_\_\_\_\_, Advocate