



<u>Surname, First name</u>	Panchmatia, Raj
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Nationality/ Date of Birth	Indian / 26 April 1975

Educational/Professional Memberships

LL.M., Mumbai University (2004)
LL.B., Mumbai University (2000)
B.Com., H.R. College of Commerce and Economics, Mumbai (1997)
Fellow of Malaysian Institute of Arbitrators
Bar Council of Maharashtra and Goa
Bombay Incorporated Law Society
Supreme Court Bar Association
Bombay Bar Association
SIAC India Users Counsel
ICC India Arbitration Group
Mumbai Centre of International Arbitration
Indian Merchant's Chambers
Bombay Chambers of Commerce and Industry
Law Society of England & Wales, U.K

Current Position

Partner, Dispute Resolution

Professional Experience

Raj is a Partner in the Dispute Resolution practice group in our Mumbai office. Raj has rich experience in the field of dispute resolution and commercial litigation, both at the domestic and international fora. He has advised clients on a wide variety of claims under the Indian arbitration laws, SIAC, LCIA, ICC, UNCITRAL and HKIAC, and has extensive experience in dealing with disputes under all forms of contracts and agreements. Raj also advises clients on litigation before the Supreme Court of India, various High Courts of the country, the Securities Appellate Tribunal, the National Company Law Tribunal etc.

Raj's key practice areas are infrastructure, private equity, M&A, securities, defence, shipping, property, automobile, power and hospitality sectors. Raj also represents and advises the Government of India on various matters.

Raj is one of the select members of the SIAC India Users Counsel and the ICC India Arbitration Group. He was instrumental in drafting of the Mumbai Centre of International Arbitration (MCIA) Rules and is a co-convener of Indian Arbitration Forum Western Region. Raj was conferred the 'Rising Star under 40' award in 2016 by Legal Era.

Raj is invited regularly as a speaker at various conferences and seminars organized by prestigious bodies like, International Chamber of Commerce (ICC), London Court of International Arbitration, India (LCIA India), Indian Council of Arbitration (ICA), Singapore International Arbitration Centre (SIAC), Mumbai Centre for International Arbitration (MCIA), Swiss Arbitration Academy (SAA).

Raj is regularly invited by various law schools, various discussion forums on electronic media on topics related to dispute resolutions.

Raj is also an avid author and has various publications to his credit in reputed journals as well as web sources such as International Law Office, Practice Law Co., Mondaq, Bar & Bench, IBA, ICA Quarterly.

Arbitration Experience

In his area of expertise, Raj has advised and represented the following clients:

- **Mumbai Metro Regional Development Authority (MMRDA)**, an arm of the Maharashtra state government, in one of its largest Infrastructure arbitration dispute regarding construction of Mumbai Metro Rail Project for a total claim of INR 4,500 Crores. Separately, Raj also successfully advised and procured an order for MMRDA on proceedings involving metro fares as per the agreed terms in the concession agreement between MMRDA and Mumbai Metro One Private Ltd.;
- **A large French business house**, defended the claims aggregating to approximately EUR 1,597,000, for alleged breaches of shareholders agreement.
- **MAN Industries (India) Limited** in recovering payments of EUR 24 million under a manufacturing and supply agreement prior to shipment of goods to Iran in the background of certain existing international sanctions and further securing necessary documents to the client from the Iranian counterparty;
- **Narendra Plastics Private Limited**, Asia's largest manufacturer and supplier of plastic bags, in a dispute against its international supermarket chain customer and advised on strategy and securing order for payment of USD 1.8 million;
- **Indian promoter** on disputes arising out of the shareholders agreement for enforcement of a put option, indemnity and guarantee rights of the investor involving payment of AED 137,500,000. The matter involved three multi-jurisdictional disputes, with more than one governing law of the contract;
- **Indian promoters** in arbitration and representing the clients in proceedings before the Indian courts, in a dispute with its equity investor about enforcement of a put option agreement, involving interpretation of the amended provisions of the Indian arbitration laws, in particular the applicability of the put option agreements entered prior to change in law;
- **A Japanese client** on arbitration for recovery of outstanding dues of USD 2 million in a dispute arising out of an EPC contract in the energy and infrastructure sector;
- **Indian Beauty and Hygiene Association (IBHA)**, challenging the vires of an amendment to the Legal Metrology (Packaged Commodities) Rules seeking mandatory marking of cosmetic products with a red or green dot, indicating the source and/or ingredients as vegetarian or non-vegetarian;
- **A leading international medical equipment manufacturer and its Indian subsidiary** on their multiple litigation strategy and successfully defended the client in the suits filed by the Indian distributor for enforcement of an alleged oral contract and for an anti-suit injunction;
- **Tech Mahindra Limited** on the constitutionality and retrospective effect of Payment of Bonus (Amendment) Act 2015; and
- **Vedanta Limited and Cairn India Limited** on a merger scheme which consolidates Vedanta Limited's position as one of the world's largest diversified natural resources companies.

Publications

- **“Enforcement of Put and Call Options – Challenges in Manoeuvring the Exit”** published by Oxford University Press;
- **“Decoding the Code – A New Paradigm for Insolvency Dispute Resolution”** published by Mondaq;
- **“Impact of Arbitration and Conciliation (Amendment) Act on foreign-seated arbitrations”** published by International Law Office (ILO);
- **“The Commercial Courts Act: Is It the Solution For Delayed Justice”** published by Lexology;
- **“Put and Call options in India: Do these exit options really exist ?”** Published by Asia Pacific Regional Forum News, News Letter of International Bar Association Legal Practice Division (IBA);
- **“The Viewpoint – Arbitrability of Oppression/ Mismanagement Disputes”** published by Bar & Bench;
- **“Enercon Vs. Enercon: The continuing trend of a pro arbitration Supreme Court”** published by Indian Council of Arbitration (ICA);
- **“The Viewpoint: Jurisdiction of Indian Court in International Commercial Arbitrations”** published by Bar & Bench in January 2013 and was further published by Indian Council of Arbitration (ICA); and
- **“The Viewpoint – Investment Arbitration in India: An introduction to concept and challenges in the White Industries dispute”** published by Bar & Bench.

Languages

English, Hindi, Marathi, Gujrati