

Aayush Kevlani

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I. AFFILIATIONS:

- a) Enrolled with the Bar Council of Maharashtra and Goa.
- b) Member of the Young International Council for Commercial Arbitration (ICCA), The Hague; the Young International Arbitration Group (YIAG), The London Court of International Arbitration; the Young Singapore International Arbitration Centre (YSIAC, Singapore); and the Young Mumbai Centre for International Arbitration (YMCIA, India).

II. SELECT EXPERIENCE STATEMENT:

- a) Advised multiple corporate entities and their founding teams on various commercial-legal issues surrounding incorporation/setup and scaling of businesses including assistance with legal compliances, IP registrations, due diligence and labour/employment issues as well as drafting/review/negotiation of a wide range of agreements, terms and policies.
- b) Represented the world's largest sporting goods retailer, its Indian subsidiary and global key managerial personnel in multiple civil/criminal disputes and investigations (including liaison with various Indian government/enforcement agencies) on real estate, insolvency, trade license and related issues before courts, tribunals and other bodies across jurisdictions including Delhi, Mumbai, Bengaluru, Ahmedabad, Lucknow and Panaji.
- c) Represented a listed American internet domain registry, domain registrar and web hosting company (including its group companies) in suits, appeals and writ proceedings concerning trademark infringement and Indian IT laws' violation claims before courts across jurisdictions including Delhi, Mumbai, Chennai and Bengaluru.
- d) Represented and assisted the Court-appointed legal advisor to the liquidator of the Gulf Cooperation Council (GCC)'s largest telecommunication corporation's Indian subsidiary in multiple disputes and enquiries/investigations arising out of the Indian Supreme Court's cancellation of 2G spectrum licences in 2012.
- e) Assisted with Indian evidentiary issues in a multi-jurisdictional dispute between an American businessman and a UAE-based sovereign investment authority arising out of cybercrime, fraud, bribery, misappropriation and other claims.
- f) Represented an Indian jewellery and bullion trade company's liquidator in proceedings against the Indian Revenue Intelligence and Customs authorities before the Indian Supreme Court and the National Company Law Appellate Tribunal against attachment/seizure of the company's liquidation estate assets and related issues.
- g) Represented a listed American footwear and clothing company's Indian subsidiary in proceedings against the Indian Registrar of Companies over proposed conversion to a limited liability entity pending enquiries by government agencies.
- h) Advised a Chinese multinational digital communications technology company on issues concerning service of notices by Indian government/enforcement agencies and hierarchical distribution of the Indian group company's assets in potential insolvency/liquidation proceedings.
- i) Represented and advised one of India's leading cab aggregators and its former managerial personnel in proceedings for quashing of criminal process initiated over the alleged breach of the erstwhile taxi schemes/regulations. Represented one of India's largest listed financial technology companies and its founder in proceedings challenging refusal of registration of a First Information Report (FIR) and criminal investigation over a shareholders' dispute.
- j) Represented a large heritage hotel chain's Indian promoter in a lease renewal and attornment dispute against the Indian State of Sikkim in a domestic arbitration and in related proceedings including before the Indian Supreme Court.

Represented an Indian public infrastructure project's contractor in a money recovery dispute against the Indian State of West Bengal before the Indian Supreme Court.

- k) Represented multiple Indian entities in writ proceedings against Indian government agencies including over pre-qualification criteria stipulated for award of construction contracts, classification of commercial premises for taxation purposes and computation of building plan sanction fees before courts in Delhi, Mumbai and Chandigarh respectively.
- l) Advised a listed Fortune Global 500 IT services and consulting company's Indian subsidiary on group insurance issues including foreign insurer underwriting and benevolent fund setup; and assisted the client in negotiations with Indian public sector insurers. Advised multiple global insurers and reinsurers on general liability, errors and omissions, travel, trade credit and various other insurance policy issues in non-adversarial as well as adversarial proceedings including before arbitral tribunals, consumer courts and High Courts across India.
- m) Represented a large American financial asset management solutions company's Indian subsidiary in multiple IT and technology financing agreement disputes including insolvency resolution, debt recovery and guarantee invocation proceedings across jurisdictions including Delhi, Mumbai and Chennai. Represented an American global digital engineering company in a breach of contract, money recovery and injunction suit and related appellate proceedings against an Irish retail management solutions company's Indian subsidiary.
- n) Represented a Swedish multinational engineering and industrial heating technology company's Indian subsidiary in injunction proceedings against its former senior managerial personnel over data theft and breach of employment terms. Advised a Swiss hearing aid technology company, its Indian subsidiary and global key managerial personnel on their investigation of breach of employment terms by former senior managerial personnel and unauthorized online sales. Advised an Austrian production technologies company on proposed Indian court proceedings against former senior managerial personnel over data theft and breach of confidentiality obligations.
- o) Represented an Indian company's liquidator in a Hong Kong seated international commercial arbitration against a UAE-based company for recovery of dues against bullion export. Represented the largest Chinese turbo-machinery manufacturing company in an application for reference of disputes to a Singapore-seated international arbitration.
- p) Represented a listed Spanish railway vehicles manufacturing company in enforcement, interim relief and appellate proceedings in relation to arbitral awards made in England in an international commercial arbitration. Represented a French agricultural company in enforcement, appellate and related proceedings in relation to arbitral awards made in France in an international commercial arbitration.
- q) Represented the common resolution professional of 13 group entities undergoing India's first 'substantive consolidation' insolvency resolution process in multiple writ, suit and consumer court proceedings. Advised a Japanese digital entertainment products company's Indian subsidiary in relation to its debtor's insolvency resolution proceedings, submission of claims and challenge against their non-admission.
- r) Represented former senior managerial personnel of a French multinational IT services and consulting company's Indian subsidiary in an arbitration and related court proceedings over severance and ESOP compensation claims. Represented a Spanish manufacturing company in a breach of contract and warranty claim dispute against a listed Indian company.

III. SELECT ARTICLES AND PUBLICATIONS:

- a) Articles on electronic recording of evidence; enforcement of bank guarantees; purport of Court's oral examination; impact of acceptance of costs under amendment orders; belated introduction of additional documents in commercial suits; and expert witnesses' testimony in India.
- b) The Legal 500's Country Comparative Guide on Indian commercial real estate (2020).