



## Anchit Oswal

Partner

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### Practice:

Dispute Resolution

### Education:

B.A., LL.B., (Hons.), National Law  
Institute University, Bhopal (2011)  
Diploma in Cyber Law, Asian School of  
Cyber Law, Pune (2009)

### Professional Affiliation:

Bar Council of Delhi

Anchit Oswal is a Partner in the Dispute Resolution practice group in the NCR office. Anchit has rich and diverse experience in advising and representing clients across sectors and industries on issues concerning various laws, before multiple forums.

Anchit regularly advises clients on pre-litigation strategy, renders legal opinions of complex questions of law and appear in courts/ tribunals to represent Clients. Over the last 10 years, he has represented various Client in complex litigations in relation to their civil, commercial, corporate, joint venture and regulatory disputes before courts, specialized tribunals and in arbitrations, domestic and international. Anchit takes keen interest in innovative tech startups and regularly advises them on corporate management, strategy and disputes.

Anchit also advises Clients in relation to investigations by agencies like the Serious Fraud Investigation Office, Central Bureau of Investigation, Enforcement Directorate, on matters concerning allegations of bribery, money laundering, corporate fraud, and various other offences.

### Representative Matters:

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

#### Corporate & Commercial Litigations

- **Severn Trent Water Purification Inc.** on concerning the issue of arbitrability of disputes and doctrine of 'mother agreement', reported as *Chloro Controls India Pvt Ltd v. Severn Trent Water Purification & Others* (2013) 1 SCC 641 before the Supreme Court of India;
- A **leading Bank of UAE** on enforcement of World-Wide Freezing Order in India;
- **National Payments Corporation of India**, on issues concerning Privacy, Data localization, Data Sharing, information technology etc., before the Supreme Court and Delhi High Court;
- **Toyo Engineering, Japan** on challenge to an international arbitration award before the Delhi High Court. The matter concerns



issues pertaining interpretation of statutes, pre-deposit of awarded sum, precedential value of judgements by coordinate bench arising out of same project.

- **Sterling and Wilson** on issue in relation to honouring of Letter of Credit against a bank before the Supreme Court of India;
- **Israel Military Industries Ltd (IMI)** on disputes with Government of India over investments in the Indian defense sector, encashment of bank guarantees, blacklisting in relation to proposed establishment of BMCS Factory at Nalanda, Bihar; representation before Delhi High Court, reported as *Israel Military Industries Ltd v. Union of India* (2013) 201 DLT 1;
- **Uber** on advisory and representation before Delhi High Court against its rival Ola (ANI Technologies) for damages in tort for fraudulent bookings on Uber's Platform across India;
- **Lalea Trading Ltd** on representation in its arbitral dispute relating to USD 50 million investment in a real estate project in India; representation before Delhi High Court, reported as *Lalea Trading Ltd v. Anant Raj Projects Pvt Ltd & Another* (2013) 198 DLT 339; representation in arbitration proceedings against Anant Raj Limited;
- **Molson Coors India** on a dispute with state electricity utility on illegal disconnection of electricity;
- **Hindustan Chemicals Co** on representation before Appellate Tribunal for Electricity for wind power project;
- **DLA Piper, Singapore** on recovery of its legal fee against an Indian Company;
- **OCS Group** on dispute with ex-employees for starting a competing business;
- **British Telecom** on employee issues before Courts and industrial tribunal in Gurgaon and Delhi;
- **Puma** on consumer disputes and contractual disputes with the distributors;
- **Vistra ITCL** on its rights as a Debenture Trustee with respect to a credit facility to a builder before the Real Estate Appellate Tribunal at Chandigarh;
- **Times Internet Limited (Magicbricks.com)** on a show cause notice issued by the Real Estate Regulatory Authority and involving questions of interpretation of the Real Estate laws and Information Technology Act; and
- An **Individual** on proceedings under the Mental Health Act.



#### Arbitrations

- A **US Based Water Purification Company** in relation to representation in ICC arbitration pertaining to joint venture disputes with its Indian joint venture partner with respect to the scope of the business of JV Company and allegations of breach of contracts;
- An **Indian Company** in relation to representation in ICC arbitration against Chinese buyer concerning a contractual dispute;
- **Germany based paper manufacturing company** on dispute with the shipping consultant arising out of contract for supply of books from India to a foreign country. The claims are for damages for delay and recovery of assess payments due to it;
- An **Indian Coal Company** on a contractual dispute with a PSU purchaser of coal. Claims are for recovery of price for the goods supplied;
- A **hospitality company** in relation to representation in arbitration over fire insurance claim of INR 1 billion;
- An **Indian Conglomerate** on a dispute arising out of supply of seeds for state sponsored seed distribution scheme in the state of Rajasthan; and
- **Indian subsidiary of a Singapore based telecom company** in relation to representation in an arbitration concerning contractual disputes state telecom service utility for wrongful detention of hardware and damages.

#### White Collar

- **Hindalco Industries Ltd & Managing Director** on an advisory and representation before Supreme Court of India for quashing of summoning Order passed by CBI Special Court, Patiala House, New Delhi against the former Prime Minister of India, Chairman of Aditya Birla Group and other accused in relation to allocation of Talabira II Coal Block *inter alia* on charges of criminal conspiracy and criminal misconduct under the Prevention of Corruption Act;
- **Uber** in relation to representation before trial courts in relation to allegations of offence committed by key management personnel (KMPs) under the Motor Vehicles Act;
- **Global ERP Solutions supplier** on an advisory pertaining to allegations of corruption in supply of software to a Public Sector Undertaking;
- **Independent Power Producer** on an advisory pertaining to allegations of conspiracy, cheating, criminal misconduct in coal block allocations;



- **British Power Systems Company** on an advisory pertaining to allegations of corruption, conspiracy, cheating, tax fraud, etc. in supply of engines to public undertakings; and
- **US Based Fund** on protentional exposure under Indian corruption laws as part of due-diligence exercise for a potential investment in India.

#### Contract Negotiations & Advisory

- An **Indian Oil & Gas PSU** on various agreements, letters pertaining to its investment in an overseas oil and gas asset;
- **Uber** on regulatory compliances in India. Advising the same company in relation to Legal Metrology Act and, Motor vehicle Act;
- **Molson Coors India** on an advisory with respect to the ban imposed by the State of Bihar on consumption of liquor; and in relation to regulatory and compliances in India and in relation to its commercial contracts including for e-commerce, lease, third party vendors/ service providers, brand management etc;
- A **US Based Media Corporation** on its dispute with the Indian joint venture partner including disputes pertaining to intellectual property;
- **France based Agro company** on a potential indemnity claim against the Sellers in an Asset Purchase deal;
- **Indian based Agri-tech start up** advising on commercial disputes with vendors and dispute with competitors for soliciting and poaching employees etc;
- **Indian Subsidiary of a France based FMGC company** on allegations of bribery with the Central Stores Department and other canteens;
- A **housing related web portal** on a Share Purchase Agreement w.r.t merger with other online portal for real estate sector;
- An **Indian Software company** on defending allegations of theft of intellectual property by a competitor;
- **Nando's** in relation to representing it before the Advertising Standards Council of India;
- **Cyprus based investment company** on various company law related issues with respect to differences between board members, corporate governance, valuation, and Client's exit from the Indian JV; and
- A **multinational consumer good company** on its potential claims against Indian exporters for exporting of sub-standard goods



consequently rejected by the food quality agency of the importing country.

## **Publications & Presentations**

Anchit has authored articles in various Indian and international legal journals and newspapers. His contributions include:

- **“Constitution of Arbitral Tribunals by the Indian Courts: Changing Landscape”** International Arbitration Law Review, 2018 Vol.21 Issue 5 (2018);
- **“Supreme Court Rules on The Applicability Of Amendments To Arbitration And Conciliation Act: What Is Still Not Clear?”** published by **Mondaq** (March 2018);
- **“Impact of fraud on arbitral award: Indian Supreme Court at divergence”** published by **SCC Online** (February 2018);
- **“Consolidation Of Arbitrations – Where Is India Headed?”** published by **Kluwer Arbitration Blog** (December 2017);
- **“Appointment of Arbitrators in India: Practice and Procedure”** International Arbitration Law Review 2017 Vol.20 Issue 5 “(2017);
- **“India and International Commercial Arbitration”** published by **Mondaq** (June 2017);
- **“Indian Courts and Anti-Arbitration Injunctions”** published by **Mondaq** (September 2016);
- **“Implied exclusion of Part I of Arbitration and Conciliation Act – tips and strategies”** published by **Arbitration & ADR Newsletter, International Law Office** (June 2015); and
- **“Claims for compound interest in arbitral proceedings now sustainable”** published by **Arbitration & ADR Newsletter, International Law Office** (January 2015).