



# Sanjeev K Kapoor

## Partner

Delhi, NCR

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### Practices:

Arbitration & Litigation

### Education:

B. Sc, LL.B., Himachal Pradesh University, (1997)

### Professional Affiliation:

Bar Association of Himachal Pradesh

Supreme Court Bar Association

Supreme Court Advocates on Record Association

International Bar Association

London Court of International Arbitration

International Council for Commercial Arbitration

*Sanjeev Kapoor is a Partner in the Dispute Resolution team of Khaitan & Co. Sanjeev, through a rich and diverse practice of over 26 years, has gained invaluable experience in diverse areas of law including constitutional law, general trade and commercial laws, laws relating to environment, mining, energy and infrastructure, foreign exchange laws etc. Sanjeev is also a registered Advocate on Record with the Supreme Court of India. He is the Vice President of ICC International Court of Arbitration.*

*Sanjeev regularly advises on complex cross border litigations and multi-jurisdictional disputes. He has a wealth of experience in disputes in the private equity and venture capital investment space and in disputes arising out of joint ventures. He has represented clients in banking and securities disputes, disputes arising out of large infrastructure projects and in natural resource and environmental space.*

*Alternative dispute resolution has been Sanjeev's forte. He has assisted and represented clients before various domestic arbitral tribunals, international arbitral tribunals (both institutional and ad hoc) including tribunals constituted under the aegis of ICC, LCIA, SIAC, LMAA as well as under bilateral investment treaties. He has an in-depth knowledge and understanding of commercial and investment arbitrations covering a vast array of issues. He has also successfully assisted clients in proceedings for enforcement of international as well as domestic arbitral awards in India.*

*Sanjeev has been a Speaker and a Panelist at various conferences and seminars organized by prestigious bodies like, International Chamber of Commerce (ICC), International Bar Association (IBA), Global Arbitration Review (GAR), Union Internationale des Avocats (UIA), London Court of International Arbitration, India (LCIA India), Indian Council of Arbitration (ICA) etc.*

*He is also an avid author and has various publications in reputed journals as well as web sources such as International Law Office, Financier Worldwide, Money Control, India Business Law Journal, Practical Law Co., Mondaq and Bar & Bench.*

## Recognitions & Accomplishments:

Recommended as Ranked Lawyer in Arbitration and Dispute Resolution by Chambers & Partners Top Ranked Asia-Pacific 2024

Litigation Star of The Year by Benchmark Litigation, 2024

Recommended as Ranked Lawery by Legal500, 2024

Recommended as A-List Lawyer in India Business Law Journal, 2023

Recommended as Ranked Lawyer in Arbitration and Dispute Resolution by Chambers & Partners Top Ranked Asia-Pacific 2023

Recommended as Leading Lawyers Champions for Dispute, Legal Era Award, 2023

Leading Lawyers Distinguished by Asian Law Leading Lawyers, 2023

Top Disputes Lawyers Distinguished by ALB, 2022

Litigation Star of The Year by Benchmark Litigation, 2022

*He has consistently garnered accolades from clients and the legal fraternity for his expertise and has consistently been recognized by Chambers & Partners, Legal 500, Benchmark Litigation, ACQ 5, ALB and others as one of the leading arbitration/ dispute resolution lawyers in India.*

## Representative Matters:

In his areas of practice, Sanjeev has represented and advised several clients across industries. Some indicative transactions include:

### Arbitration

- Advising and representing a **leading Japanese telecom company**, in an LCIA arbitration including in the enforcement proceedings before the Delhi High Court to successfully enforce the USD 1.1 billion arbitral award;
- Advising **The Department of Space, Government of India** in a bilateral investment treaty dispute with a private party arising out of the Bilateral Investment Protection Agreement with the Government of Mauritius;
- Advising and representing an **Indian subsidiary of a London listed metals and mining major** in an arbitration against the Union of India relating to acquisition of a Government Company under the disinvestment process initiated by the Government of India;
- Advising and successful representing a **group of promoters and shareholders of a leading Indian airline company** in an LCIA India Arbitration proceeding concerning issues of confidentiality and corporate governance and involving claims o USD 540 million.
- Advising and representing a **leading French industrial company** specializing in cement, construction aggregated and concrete and **Spanish building materials company** before the Supreme Court of India in respect of their trans-border, joint venture cement project.
- Advising and representing a **large independent content creation Group** for television and multimedia platforms in SIAC proceedings in connection with an exit dispute with an investor including enforcement related advisory;
- Advising and representing **two Hong Kong based investors** (including an FVCI) in their dispute with Indian parties in connection with procuring an exit from the Indian company at the agreed exit price and related enforcement proceedings before Indian Courts;

## Publications and Presentations:

Sanjeev has authored the following contributions:

- “Cost in Arbitration” -Chapter in Damages, Expert Evidence and Valuation in Commercial Disputes in India, published by Thomson Reuters, December, 2023
- Environmental Law 2023 Chapter, Chambers & Partners, November 2023
- “Investment Treaty Arbitration” -Chapter, GAR Know How, 2022, December 2022
- **Third Party Funding**, ICC International Chamber of Commerce, March 2022;
- **‘Challenging and Enforcing Arbitration Awards – India Chapter**, GAR Know How, 2017, 2019 and 2021;
- **‘Dispute Resolution in Doing Business in Asia Pacific – India Chapter**, IBA Asia Pacific Regional Forum, September 2020
- **‘Perspectives in Practice of the UNIDROIT Principles 2016 – India Chapter**, IBA Publication, December 2019

Sanjeev also been a speaker/panelist on various forums:

- “Behind the Scenes of ICC Court- Mock Session of the ICC International Court of Arbitration on Draft Award Scrutiny, 6<sup>th</sup> ICC Arbitration Day, Delhi, December 2023
- “Behind the Scenes of the ICC Court: Scrutiny of the awards” organized by ICC in 8<sup>th</sup> ICC APAC in Hong Kong, June 2023
- “Arbitrating Indo-UK Commercial Disputes - 2nd Edition” June 05, 2023, at Lancaster Ballroom, The Hotel Savoy, London, The UK Speaker on NAVIGATING THE ENFORCEMENT PROCESS FOR INTERNATIONAL, June 2023
- ARBITRAL AWARDS IN THE UK & INDIA” “landmark arbitration decisions from India” 5<sup>th</sup> ICC India day, Dec 2022, Delhi
- **‘Investment Treaty Protection for Swiss Investors in India**, Lalive, May 2022;
- **‘GAR Connect India: Witness and Expert Evidence Panel Introduction**, GAR, March 2022;
- **‘Is India Ready for Litigation Finance**, Khaitan & Co., February 2021
- **‘Advanced Masterclass on Delay Claims**, Secretariat's Global Knowledge Series on Infrastructure and Construction Disputes - Part 2, September 2021