



Ajay Bhargava

Partner

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Practices:

Dispute Resolution
Arbitration (Domestic)
Arbitration (International)
Corporate Commercial Disputes
Energy and Natural Resources
Information Technology
Infrastructure
Intellectual Property
Labour and Employment
Real Estate
Recovery and Insolvency
Sports & Media
Telecom

Education:

B.A (Hons) Economics
LL.B Delhi University

Professional Affiliations:

Supreme Court Bar Association
Delhi High Court Bar Association
London Court of International
Arbitration
Indo-American Chambers of
Commerce
Indo-French Chambers of
Commerce & Industry
Indo-German Chambers of
Commerce
Inter Pacific Bar Association

Ajay is a Senior Member of the Dispute Resolution Team. He specializes in Civil, Criminal & Corporate Litigation with over 20 years of experience.

Ajay's fora of practice includes Supreme Court, High Courts, Arbitration (International and Domestic), Quasi Judicial Tribunals like National Company Law Tribunal, National Company Law Appellate Tribunal and National Green Tribunal. He advises on Constitutional matters, Civil & Criminal matters, IPR laws, Employment Laws and on corporate - commercial disputes. He also advises on matters before the Investigation Wings relating to corporate criminal investigations and quasi criminal prosecutions (white collar crimes). Ajay is often consulted on M&A transactions to provide tactical and advisory support. He advises on preventive measures in commercial contracts.

Representative Matters:

In his areas of expertise, Ajay has represented and advised the following clients:

- Supreme Court litigation on behalf of **Shri Kumar Mangalam Birla**, Chairman **Aditya Birla Group** in relation to Coal Allocation matter (**Natural Resources & Minerals**)
- Supreme Court litigation on behalf of **Hindalco Industries Limited** in relation to Coal Allocation matter (**Natural Resources & Minerals**)
- Supreme Court litigation on behalf of Dr Vijay Mallya, Chairman **UB Group** (**Corporate Commercial issues**)
- Supreme Court litigation on behalf of **Aditya Birla Group** in relation to Coal Allocation matter (**Natural Resources & Minerals**)
- Supreme Court litigation in relation to the **Birla-Lodha** Will matter (**Family law / Testamentary Succession / Criminal law**)
- Supreme Court litigation on behalf of **Severn Trent Water Purification Inc., USA** in relation to Joint Venture dispute and landmark issue on interpretation of the Indian Arbitration Act vis-à-vis International Commercial Arbitration (**Infrastructure Sector**)



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- Supreme Court litigation in relation to the **Lilavati Hospital (Mumbai)** on behalf of the K.K. Mehta Family (Family law / Criminal law) (**Healthcare Sector**)
- Supreme Court litigation on behalf of **Essel Mining & Industries Limited** in relation to Orissa Mining matter (**Natural Resources & Minerals**)
- Supreme Court litigation on behalf of **Voestalpine Schienen Gbhh** in their dispute with Delhi Metro Rail Corporation (DMRC) (**Infrastructure**)
- Supreme Court litigation on behalf of **Sun Pharmaceutical Industries Limited** in relation to the 4 Billion USD acquisition of Ranbaxy
- Supreme Court litigation on behalf of **Godrej & Boyce - Forest matter (Environmental Law)**
- Supreme Court litigation on behalf of **India Infoline Group** and its Directors (**Criminal Law - landmark issue on Directors liability**)
- Supreme Court litigation on behalf of **Mitsubishi Corporation** (Tax Laws - relating to Delhi Metro Rail Project) (**Infrastructure Sector**)
- Supreme Court litigation on behalf of **Khoday Group** in relation to the dispute with Scotch Whisky Association on the brand 'Peter Scot'
- Supreme Court litigation on behalf of **Royal Challengers** (Indian Premier League Cricket Team) (Surrogate advertising) (**Sports & Media Law**)
- Supreme Court litigation on behalf of **Ferani Hotels (Private.) Limited** in relation to Section 9A of the Code of Civil Procedure (as applicable in Maharashtra)
- Represented **Idea Cellular Limited** in Supreme Court / High Court / Telecom Disputes Settlement & Appellate Tribunal in relation to the controversy relating to allocation of 3G Spectrum. (**Telecom Sector**)
- Represented **Aananda Audio Video**, in various forums (Supreme Court of India / High Court / Copyright Board) in relation to the protection of their Copyright (Compulsory License Issue)
- Represented **DLF Group**, before Supreme Court / High Court and various Misc Fora (**Real Estate Sector**)
- Supreme Court litigation on behalf of **Cement Companies** in relation to Renewable Energy Obligation Regulations in the State of Rajasthan
- Supreme Court litigation on behalf of **Saregama India Limited** in relation to 52(i)(j)
- Represented **Saregama India Limited and Phonographic Performance Limited (PPL)**, before various forums



(Supreme Court/High Court) in relation to the protection of their Copyright (**Entertainment Sector**)

- Represented **Indiabulls Group**, before various Forums (Supreme Court/High Court/Arbitral Tribunal etc.) (**Real Estate Sector**)
- Represented **Kingfisher Airlines Limited**, before Supreme Court/High Court and various Misc Fora (**Aviation Sector**)
- Supreme Court on behalf of **Glenmark Pharmaceuticals Limited** in relation to National Drug Policy, 1994 and NPPA issues. (**Pharmaceutical Sector**)
- Supreme Court litigation on behalf of **Lupin Limited** in relation to National Drug Policy, 1994 and NPPA issues. (**Pharmaceutical Sector**)
- Supreme Court litigation on behalf of **FDC Limited** in relation to National Drug Policy, 1994 and NPPA issues. (**Pharmaceutical Sector**)
- Represented and advised **Nimble TV Inc.** in relation to the suit filed by Tata Sky Limited against the Client before Delhi High Court (**Media Law**)
- Represented and advised **Cayman Islands Limited** in relation to the suit filed by HGS India Limited against the Client before Delhi High Court
- Represented and advised **Vestige Marketing Private Limited** in relation to the suit filed by Modicare Limited against the Client before Delhi High Court
- Advised and represented **Public Health Foundation of India**
 - in relation to the Arbitration Petition filed against Dr. Tarandeep Singh before Delhi High Court
- Represented **Jindal Steel & Power Limited** in a multi million dollar Bank Guarantee dispute with Bolivian Government before the Delhi High Court
- Represented **Jindal Steel & Power Limited** in a multi million dollar dispute with Transglobal Metals FZE before the Arbitral Tribunal
- Represented **Israel Military Industries Limited** on the blacklisting issue with Ministry of Defence (**Defence Sector**)
- Represented **HEIL Group** in their Dispute with Spicejet (Criminal Law/Corporate Laws) (**Aviation Sector**)
- Represented **Albert David Limited** on a Drug Ban issue before the Delhi High Court (**Healthcare Sector**)
- Represented **Harley Davidson Motor Company Inc.** in a Dealership Agreement dispute
- Represented **Ansal Group** in litigation matter (**Real Estate Sector**)



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- Represented **Indiabulls Group**, before various Forums (Supreme Court/High Court/Arbitral Tribunal etc.)(**Real Estate Sector**)
- Represented **Kingfisher Airlines Limited**, before Supreme Court/High Court and various Misc Fora (**Aviation Sector**)
- Represented **Eveready Industries India Limited**, before various forums (High Court/TradeMark Tribunals etc), in relation to the protection of their trademark and copyright in the mark 'EVEREADY'
- Represented **Ireo Group**, in various forums (High Court / TradeMark Tribunals etc, including the filing of the complaint at UNDRP and INDRP under WIPO) - domain name dispute under the INDRP (**Real Estate Sector**)
- Delhi High Court litigation on behalf of **Mr Asim Ghosh (Former CEO of Vodafone)** in a petition filed by a NGO i.e. Telecom Watchdog, in the Hutchinson-Vodafone Deal (Telecom law / FDI Policy / Corporate law)
- Delhi High Court litigation on behalf of **International Cricket Council (Sports and Media Law)**
- Represented **Glenmark Pharmaceuticals Limited** before the Delhi High Court in relation to ban on several Fixed Dose Combinations (FDC) by the Ministry of Health, Union of India (**Healthcare Sector**)
- Represented **GlaxoSmithKline Pharmaceuticals Limited** before the Delhi High Court in relation to ban on several Fixed Dose Combinations (FDC) by the Ministry of Health, Union of India (**Healthcare Sector**)
- Represented **Lupin Limited** before the Delhi High Court in relation to ban on several Fixed Dose Combinations (FDC) by the Ministry of Health, Union of India(**Healthcare Sector**)
- Represented **Unichem Laboratories Limited** before the Delhi High Court in relation to ban on several Fixed Dose Combinations (FDC) by the Ministry of Health, Union of India (**Healthcare Sector**)
- Represented **FDC Limited** before the Delhi High Court in relation to ban on several Fixed Dose Combinations (FDC) by the Ministry of Health, Union of India (**Healthcare Sector**)
- Represented **Ajanta Pharma Limited** before the Delhi High Court in relation to ban on several Fixed Dose Combinations (FDC) by the Ministry of Health, Union of India (**Healthcare Sector**)
- Represented **Tablet (India) Limited** before the Delhi High Court in relation to ban on several Fixed Dose Combinations (FDC) by the Ministry of Health, Union of India (**Healthcare Sector**)
- Represented **Coral Laboratories Limited** before the Delhi High Court in relation to ban on several Fixed Dose



Combinations (FDC) by the Ministry of Health, Union of India (**Healthcare Sector**)

- Represented **Ruby Organics Private Limited** before the Delhi High Court in relation to ban on several Fixed Dose Combinations (FDC) by the Ministry of Health, Union of India (**Healthcare Sector**)
- Represented **Akums Drugs & Pharmaceuticals Limited** before the Delhi High Court in relation to ban on several Fixed Dose Combinations (FDC) by the Ministry of Health, Union of India (**Healthcare Sector**)
- Represented **Havells India Limited** before the Delhi High Court in relation to Initial Public Offer of HPL Electric & Power Limited
- Represent Supreme Court on behalf of **Essel Mining & Industries Limited** in relation to Orissa Mining matter (**Natural Resources & Minerals**)
- Represented **Ajanta Pharma Limited** before the Delhi High Court in relation to ban dated 7 September 2018 on several Fixed Dose Combinations (FDC) by the Ministry of Health, Union of India (**Healthcare Sector**)
- Represented **Coral Laboratories Limited** before the Delhi High Court in relation to ban dated 7 September 2018 on several Fixed Dose Combinations (FDC) by the Ministry of Health, Union of India (**Healthcare Sector**)
- Represented **FDC Limited** before the Delhi High Court in relation to ban on dated 7 September 2018 several Fixed Dose Combinations (FDC) by the Ministry of Health, Union of India (**Healthcare Sector**)
- Represented **Glenmark Pharmaceuticals Limited** before the Delhi High Court in relation to ban dated 7 September 2018 on several Fixed Dose Combinations (FDC) by the Ministry of Health, Union of India (**Healthcare Sector**)
- Represented **IPCA Laboratories Limited** before the Delhi High Court in relation to ban dated 7 September 2018 on several Fixed Dose Combinations (FDC) by the Ministry of Health, Union of India (**Healthcare Sector**)
- Represented **Koye Pharmaceuticals Private Limited** before the Delhi High Court in relation to ban dated 7 September 2018 on several Fixed Dose Combinations (FDC) by the Ministry of Health, Union of India (**Healthcare Sector**)
- Represented **Lupin Limited** before the Delhi High Court in relation to ban dated 7 September 2018 on several Fixed Dose Combinations (FDC) by the Ministry of Health, Union of India (**Healthcare Sector**)
- Represented **Mankind Pharma Limited** before the Delhi High Court in relation to ban dated 7 September 2018 on several Fixed Dose Combinations (FDC) by the Ministry of Health, Union of India (**Healthcare Sector**)



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- Represented **Essel Mining & Industries Limited** before the High Court of Orissa at Cuttack in relation to Mining matter
- Represented **Australian Cricketer (Royal Challenger Bangalore IPL Team) (Sports and Media Law)**
- Represented **Late Shri R P Goenka**, Chairman **RPG Group** before the Rajasthan High Court for an Election petition (Election Law)
- Represented **Inox Group** in a land acquisition matter in Allahabad High Court (**Real Estate Sector**)
- Represented several clients before the Monopolies & Restrictive Trade Practices Commission on cartelization (Cement / Soda Ash etc) and now the Competition Appellate Tribunal – also represented Kingfisher Airlines before the Competition Commission of India
- Represented **Cognizant Technology Solutions Private Limited** involving issues relating to the Information Technology Act, 2002 before the Cyber Regulations Appellate Tribunal, New Delhi (**Information Technology Sector**)
- Represented Clients in Arbitration (International and Domestic) before ICC, SIAC, LCIA and Supreme Court/High Court
- Represented **Lupin Group** in IPR matters (**Pharmaceutical Sector**)
- Represented **Hershey India Private Limited** in relation to Biodiversity Act, 2002. (**Food Sector**)
- Represented **Monster Group, USA & India** in various forums (High Court /District Courts etc. including filing of a complaint at the UNDRP and INDRP under WIPO) - first domain name dispute under the INDRP (Intellectual Property Law) (**Information Technology Sector**)
- Represented **Ribbel International** before OHIM in Spain (Intellectual Property Law)
- Represented **Ibibo Web Private Limited** in relation to Criminal case filed by Mr Digvijay Singh (**Information Technology Sector**)
- Represented **Great Eastern Energy Corporation Limited** before the Petroleum & Natural Gas Regulatory Board and in its connected litigation (**Oil & Gas Sector**)
- Represented **The United Reformed Church (Southern Province) Trust Limited** in Hyderabad
- Represented **Sun Pharmaceutical Industries Limited** and **Lupin Limited** in relation to Drug Price Control Order 2013 (**Pharmaceutical Sector**)
- Represented **Ranbaxy Laboratories Limited** before Intellectual Property Appellate Board (IPAB)



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- Represented **Exide Industries Limited** in relation to IPR matter
- Represented and advised **Uber Group, USA** in various for a and on various issues (**E-Commerce Sector**)
- Represented and advised **Snapdeal.com** in various for a and on various issues (**E-Commerce Sector**)
- Represented and advised various **Aditya Birla Group** Companies (Idea Cellular Limited, Hindalco Industries Limited, Grasim Limited, UltraTech Cement Limited and Aditya Birla Nuvo Limited)
- Advised **Essel Mining & Industries Limited** before the Supreme Court in relation to Coal Ordinance
- Advised **Essel Mining & Industries Limited** before the Supreme Court in relation to Mining Ordinance related Work
- Advised and represented **Hardcastle (McDonalds)** in relation to "Junk Food PIL" before Delhi High Court (**F&B Sector**)
- Represented and advised **Osram India Private Limited** in relation to Oil and Gas dispute (**Oil & Gas Sector**)
- Represented and advised **Reckit Benckiser (India) Limited** in relation to various matters
- Represented and advised **Sahara Group** in relation to various matters
- Represented and advised **Reliance MDA Group** in relation to disputes with various News Papers and Media Channels as well as political parties. (**Media Law**)
- Represented and advised **RPG Group** in relation to prosecution launched against their top management (**Media Law**)
- Advised **Aditya Birla Group** in relation to the defamation against a media house (**Media Law**)
- Represented and advised **Siemens Limited** in relation to the defamation complaint
- Represented and advised **Broadcast Solutions Singapore** in relation to the suit filed against the Client before Delhi High Court (**Media Law**)
- Represented and advised **Aditya Birla Group** in relation to prosecution launched against their top management regarding alleged violation of Forest Laws (**Forest Law**)
- Advised and represented **Indian Corporates** in relation to Derivative Market Transaction vis-a-vis Banks (**Banking Sector**)
- Advised and represented **Afriqiyah Airways** (State Carrier of Libya) in relation to an international dispute



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- Advised and represented **Fernas Construction India Private Limited** in relation to Construction dispute
- Advised and represented **Sberbank of Russia** in relation to recovery
- Advised **Shree Baidyanath Ayurved Bhawan Private Limited** in relation to Coal Allocation matter (**Energy**)
- Advised **Airbus Group India Private Limited** in relation to Employment issues (**Aviation**)
- Advised **Carter-Ruck** in relation to legality of sting operations in India (**Media and Communication**)
- Advised Cadbury India Limited in relation to Biodiversity Act, 2002. (**Food Sector**)
- Advised **Infinite Computer Solutions (I) Private Limited and Birlasoft (India) Limited** in relation to piracy audit conducted by HP
- Advised and represented various Clients in their Patent matters in India (**Information Technology Sector**)
- Advised **Siemens Limited** in various matters in relation to EPC Contracts / Power Plants (**Energy Sector**)
- Advised Fashion Houses like **Christian Dior, Louis Vuitton and Fendi**.
- Advised **G'Five International Limited** in relation to protection of Copyright and the trademark of G'Five (Intellectual Property Law) (**Telecom Sector**)
- Advised **United Health Group, USA** in relation to the Employment Laws in India (**Healthcare Sector**)
- Advised **Intuitive Surgical, Inc., USA** in relation to Distributor dispute in India (**Healthcare Sector**)
- Advised **Reliance MDA Group** in various matters
- Advised **Dentsu Media Holdings India Private Limited** on advertisement matter (**Media Sector**)
- Advised various clients on Prevention of Corruption of Act and Indian Penal Code, 1908 in relation to various corporate investigation
- Advised and represented **Phillips Carbon Black Limited (RPG Group Company)** in their dispute with Yantas Yavuzlar Plastik AS, Turkey, before the Singapore International Arbitration Centre, Singapore
- Advised and represented **Voestalpine Schienen Gbhh** in their dispute with Delhi Metro Rail Corporation (DMRC), before various Forums (Supreme Court/High Court/Arbitral Tribunal etc.)(**Infrastructure**)
- Ajay and his Team have advised several clients on Employment law - **NHK Japan, Horiba Japan, Ikea, Monster.com, BHP Billiton, KPMG, Price Waterhouse,**



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**Centrica Plc, Dalmia Group, RPG Group,
Modi Group, Birla Group**

- Ajay and his team have advised several clients in the Pharmaceuticals Sector
- Sun Pharma, Lupin, Ranbaxy, Alembic, Yash Pharma, FDC Pharma, Hetero Drugs, Glenmark, Swiss Garnier)
- Ajay and his team have advised **e-commerce** Companies
- Naaptaol and Snap Deal
- Advising **Infotel Group** in their various Digital Media matters
- Legal adviser to the Indian Golf Union (**Sports and Media Law**)
- Advised and represented CNH Industries India Private Limited before National Green Tribunal in relation to closure order issued by the State Pollution Control Board on allegations of causing water pollution
- Advised and represented Parle Agro Private Limited before National Green Tribunal in relation to closure order issued by the State Pollution Control Board on allegations of causing water pollution
- Advised and represented ECE Industries Limited before National Green Tribunal in relation to closure order issued by the State Pollution Control Board on allegations of causing water pollution
- Advised and represented ECE Industries Limited before Supreme Court of India in relation to closure order issued by the State Pollution Control Board on allegations of causing water pollution
- Advised AirAsia (India) Limited in relation to _____ (**Sector_____**)
- Advised UCWeb Mobile Private Limited in relation to _____ (**Sector_____**)
- Advised and represented Hindustan Unilever Limited before Delhi High Court In relation to an anti-profiteering issue under the Central Goods and Services Tax Act, 2017

Publications and Presentations:

- Central Government Amends The Negotiable Instruments Act, 1881: Provides Greater Protection To Payee Of Dishonoured Cheques published in Mondaq
- Secured Creditors v. Enforcement Directorate: Right To Attachment Of Property published in Mondaq and lexology
- Delhi High Court Promotes Indigenous R&D In The Pharmaceutical Industry: Novel Drug Delivery Systems Are Not Implicitly Included Under The Drugs (Price Control) Order, 2013 published in Mondaq and lexology



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- Give inputs for Article on **PNB scam: "Will Fugitive Economic Offenders Bill catch the next Nirav Modi?" published in Business Standard 5 March 2018**
- Supreme Court holds ruling on limitation is interim award and subject to challenge under Section 34 of the Arbitration & Conciliation Act, 1996 published in Mondaq, Lexology & Khaitan & Co Ergo
- Supreme Court Reiterates The Need For Speedy Justice: Limits The Validity Of Stay Of Proceedings In Civil And Criminal Trials To 6 Months published in Mondaq & Lexology
- Supreme Court rules that Section 50 of the Arbitration & Conciliation Act, 1996, can't be bypassed through recourse to Section 13(1) of the Commercial Courts Act published in Mondaq, Lexology & Khaitan & Co Ergo
- Supreme Court Upholds Passive Euthanasia, Issues Guidelines On Advance Directives In Landmark Judgement published in Mondaq & Khaitan & Co Ergo
- Recognised as **Leading Practitioner** in **Asialaw Leading Lawyers 2018-23rd edition** for Dispute Resolution & Litigation
- Contributed for Book "**Alternate Dispute Resolution - The India Prospective**"
- Claims for compound interest in arbitral proceedings now sustainable" published in International Law Office
- Implied Exclusion of Part I of Arbitration And Conciliation Act - Tips And Strategies" Arbitration & ADR Newsletter, International Law Office
- Ambiguities in applicability of Arbitration Amendment Act 2015 published in International Law Office and also published in the Arbitration & ADR Newsletter
- Article on Legal fraternity split over firms' right to file criminal defamation published in Business Standard
- Article on Arbitration Clause in Government Contracts: Can't Live without them, How to Live with Them? published in Inter-Pacific Bar Association (IPBA) Journal.
- Article on Fixed dose combination drugs - to be banned or not to be banned published in Express Pharma
- Article on Delhi High Court Reinstates Substantive Right To Appeal Post Transition From Commercial Courts Ordinance To Commercial Courts Act as published in Mondaq
- Article on Delhi High Court Strikes Down NDMC (Determination Of Annual Rent) Bye-Laws, 2009 As Being Ultra Vires The NDMC Act, 1994 as published in Mondaq



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- Article on Bombay High Court Rules Arbitration Clause In Draft Concession Agreement Annexed To Bid Document Not Binding On Parties as published in Mondaq
- Article on SC: Arbitrator Cannot Award Pendente Lite Interest When Specific Provision In Contract Bars Payment Of Interest as published in Mondaq
- Article on Supreme Court Lays Down 10 Principles For Invoking Inherent Jurisdiction Under Section 482 Of The Code Of Criminal Procedure, 1973 as published in Mondaq
- Article on Bombay High Court Rules Arbitration Clause In Draft Concession Agreement Annexed To Bid Document Not Binding On Parties as published in Mondaq
- Article on Delhi High Court Reinstates Substantive Right to Appeal Post Transition from Commercial Courts Ordinance to Commercial Courts Act as published in Lexology & Mondaq
- Article on Delhi High Court upholds foreign award in favour of Daiichi (except qua minor respondents) as published in Khaitan & Co Ergo
- Article on NCLAT: Grant of moratorium cannot usurp the powers of judicial review of Constitutional Courts as published in Khaitan & Co Ergo
- Article on SC: Employee of a party allowed as 'arbitrator' in proceedings initiated prior to 2015 amendment to the Arbitration and Conciliation Act as published in Lexology & Mondaq
- Article on SC: Scope of Interference of Courts while appointing arbitrators limited to determining existence of arbitration agreement as published in Mondaq
- Article on Supreme Court declares Section 45(1) of prevention of Money Laundering Act 2002 as unconstitutional as published in Mondaq
- Article on Supreme Court expands Governments powers to ban drugs under Section 26a of the Drugs Cosmetics act 1940 as published in Mondaq
- Article on Supreme Court holds levy of contribution to District Mineral Foundation Trust cannot be collected retrospectively under the MMDR Act as published in Mondaq
- Article on Supreme Court Judgment in Indus Mobile Distribution Private Limited vs Datawind Innovations Private Limited as published in Lexology & Mondaq
- Article on Supreme Court says no to Arbitration in Landlord-Tenancy disputes as published in Mondaq
- Article on Venture-Satyam dispute referred to larger bench due to differing opinions as published in Mondaq

Recognitions and Accomplishments:



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Ajay has been highly recommended as a leading Lawyer in Dispute Resolution by Chambers and Partners

Ajay has been associated with :

- American Bar Association
- CII National Committee on Dispute Resolution
- CII Task Force on Dispute Resolution
- Federation of Indian Chambers of Commerce & Industry (FICCI)
- Indo-American Chambers of Commerce (IACC)
- Indo-French Chambers of Commerce & Industry (IFCCI)
- Indo-Japan Chamber of Commerce and Industry
- Inter Pacific Bar Association
- International Bar Association - Antitrust Committee Working Group,
- IPBA Environmental Law Committee
- London Court of International Arbitration (India)
- PHD Chambers - Corporate Affairs Committee
- Society of Indian Law Firms (SILF)