



Nand Gopal Khaitan

Partner

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Practices:

Dispute Resolution
Mergers & Acquisitions
Real Estate
Private Client Practice
Project Finance

Education:

Attorney-At-Law

Professional Affiliations:

Bar Council of West Bengal
Indian Council of Arbitration,
New Delhi
Bharat Chamber of Commerce,
Kolkata
The Federation of Indian
Chambers of Commerce &
Industry, New Delhi

Sectors:

Construction
Energy
Finance
Infrastructure
Hospitality

Nand Gopal (N G) Khaitan is a Senior Partner at Khaitan & Co and is based out of Kolkata.

With experience spanning over several decades, NG Khaitan has advised and represented clients on numerous marquee transactions in all areas of practice, including arbitration, civil and commercial litigation, competition and anti-trust law, mergers, demergers, foreign investment, infrastructure projects, intellectual property, project finance, real estate, restructuring and taxation. He regularly advises prominent industrial houses and multinational corporations on a plethora of legal matters.

As President of Indian Council of Arbitration, Committee Member of Federation of Indian Chamber of Commerce and Industry, and Vice President of Bharat Chamber of Commerce, he regularly participates as a key speaker on various subjects pertaining to different branches of law.

NG Khaitan is an independent director on the board of several large companies, namely India Power Corporation Limited, JK Lakshmi Cement Limited, Mangalam Cement Limited and HSIL Limited.

Representative Matters:

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

Dispute Resolution:

- **A leading industrial family** on their dispute pertaining to probate of a will;
- **SREI Venture Capital Limited** on a dispute with United Breweries (Holdings) Limited in relation to sale of Kingfisher shares. This is the only recorded case where a private fund in India was able to recover all of its dues from Kingfisher Airlines in India;
- **Essar Oil Ltd** on agreements with the West Bengal Government for exploration and production of Coal Bed Methane in West Bengal and in particular the environmental clearances for the same and in several high



value disputes in courts and arbitration proceedings arising out of termination of their oil supply agreements with various buyers in India;

- **Deccan Chronicle Holdings Ltd**, the holding company of the IPL team “Deccan Chargers” on arbitration proceedings in their claim for damages against the Board of Cricket Control of India for over INR 630 crores for illegally terminating Deccan’s IPL franchisee team, “*Deccan Chargers*”. The advisory team was successful in dismissing BCCI’s application for termination of arbitration proceedings at the very nascent stage of the proceedings;
- **Meenakshi Energy Limited** on a SIAC administered arbitration in Singapore pertaining to a dispute arising out of an agreement for supply of coal;
- **Hiranmaye Energy Limited** (formerly India Power Corporation (Haldia) Limited) on a dispute with West Bengal State Electricity Distribution Company Limited towards power purchase agreement; and
- **Shristi Hotels Private Limited and Shristi Infrastructure Development Corporation Limited** before the National Company Law Tribunal on a dispute with the private equity investor.

Real Estate:

- **Vedant Fashions Private Limited (Manyavar) & PS Group Realty Private Limited** on development of a commercial real estate project in New Town, Kolkata, West Bengal;
- **JM Financial Credit Solutions Limited** on the project financing of a large integrated township project developed by Mani Square Limited;
- **British Petroleum** on its coal bed methane project in West Bengal;
- **Maruti Suzuki** on acquisition of various land parcels in West Bengal, Assam and Jharkhand for its showroom and service centers;
- **Ambuja Neotia Group** on various real estate (residential and commercial) projects in West Bengal and Jharkhand;
- **Bengal NRI Complex Limited** on setting up of residential township in Kolkata on 65 acres of land; and
- **Shrachi Group** on its various real estate (residential and commercial) projects in West Bengal.

Mergers & Acquisitions:



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- **Bandhan Bank Limited (BBL)** on investments made by IFC, GIC and SIDBI in BBL;
- **Jayshree Chemicals Limited** on sale of its chemical business to one of the Aditya Birla companies; and
- **West Bengal Government** on its exit from various joint venture companies.

Project Finance:

- **SREI Infrastructure Finance Limited** on a term loan and LC facility granted to Perpetual Investments for their 50 MW wind power project in Ottapidaram Taluk, Tuticorin District, Tamil Nadu; and
- **United Bank of India** on a term loan facility and guarantee facility granted to Potin Pangin Highway Private Limited to finance the widening of the existing road to two lanes by National Highway standards along with improvement and realignment in Arunachal Pradesh.

Private Client-Succession Planning:

Regularly advising various reputed industrial families in their Succession Planning issue.

Publications & Presentations

NG Khaitan is a regular speaker at external conferences and events. Some of his recent presentations are set out below:

- He regularly speaks on current legal issues before various forums including FICCI, Bharat Chamber of Commerce and other sectoral associations;
- He spoke on "*Strengthening Arbitration in India: The Way at the Indian Council of Arbitration*" at an event in New Delhi (February, 2019);
- "*Arbitration in the Era Of Globalisation*" - The Second Edition an international conference organized by Indian Council of Arbitration (December, 2017);
- Special Session on 'Economic and Commercial Perspectives of Demonetisation' event organised by Bharat Chamber of Commerce (December, 2016);
- *Enforcement of IPR Regime - Creating a framework Through Business & Industry* - an event organised by Indian Chamber of Commerce, Kolkata (March, 2011);
- He spoke before the Hon'ble Supreme Court of Virginia, Harvard law School, Boston College Law School, Mayor's office of the Mayor of New York, on Arbitration and Mediation Laws; and



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- Addressed a Chinese Delegation on behalf of the West Bengal Government on "Doing Business in West Bengal".