



Vanita Bhargava

Partner

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Practices:

Dispute Resolution
Arbitration (Domestic)
Arbitration (International)
Corporate Commercial Disputes
Environment
Indirect Tax Litigation
Infrastructure, Energy and
Natural Resources
Shareholder Dispute
Tax Litigation

Education:

B.Com (Hons), Delhi University
LL.B Delhi University (1998)

Professional Affiliations:

Supreme Court Bar Association
Supreme Court AOR Association
Delhi High Court Bar Association

Vanita Bhargava is a Senior Member of the Dispute Resolution Team in the New Delhi office. She is also an Advocate on Record in Supreme Court. She has almost 20 years of experience in a variety of matters including matters relating to Constitutional laws, Taxation Laws, Environment Laws, Civil Laws, Corporate Laws, Mining Laws, Forest Laws, Shareholding Disputes and Arbitration (Domestic and International), Banking Laws and Insolvency matters.

Her fora of practice include the Supreme Court, High Court, National Green Tribunal, Mining Tribunal, National Company Law Tribunal.

Representative Matters:

In her areas of expertise, Vanita has represented and advised the following clients:

- Attended & represented Various Clients before the Delhi High Court challenging their disqualification as Director by the MCA & ROC
- Attended & represented Ultratech Cement Limited before Supreme Court in Petition pertaining to Encashment of Bank Guarantee pursuant to Coal block de-allocation
- Attended & represented Havells Inia Limited in High Court with regard to the applicability and implementation of Electrical Capacitors (Quality Control) order, 2017
- Supreme Court - **Allocation of Coal Blocks** - advising the allocattee Companies in the Public Interest Litigation filed **(Natural Resources & Minerals)**
- 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 **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)**



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- Supreme Court litigation on behalf of **Sun Pharmaceutical Industries Limited** in relation to the 4 Billion USD acquisition of Ranbaxy (**Pharmaceutical Sector**)
- Supreme Court litigation on behalf of **Khoday Group** in relation to the dispute with Scotch Whisky Association on the brand "Peter Scot" (**Liquor Industries**)
- Represented the **Birla Family** in the Birla-Lodha Will dispute before the Supreme Court (**Family Law**)
- Represented **Open Media Network Private Limited** before the Supreme Court in relation to Writ Petition filed by Rata Tata, Chairman Tata Group on right to privacy issues, freedom of speech and expression (**Telecom Sector**)

- Supreme Court litigation on behalf of **Ferani Hotels (Pvt.) Limited** in relation to Section 9A of the Code of Civil Procedure (as applicable in Maharashtra) (**Constitutional Law**)
- Supreme Court litigation on behalf of **SAB Miller India Limited** in relation to Indirect Tax issues (**Liquor Industries**)
- Supreme Court litigation on behalf of **Cement Companies** in relation to Renewable Energy Obligation Regulations in the State of Rajasthan (**Energy / Infrastructure**)
- Represented several Corporates like **American Airlines, Cable & Wireless Networks, Essel Mining, E- Trade Mauritius, Grasim, Godrej, Hindustan Construction Company and Hindalco, ICICI, ICICI Prudential Life, Ikea Asia Pacific, Insurance Kesoram, Khoday, Lafarge, Lanco, Lupin, Mahindra & Mahindra, Philips Carbon Black, RPG, Sterlite, SREI, Zuari** in taxation matters before the Supreme Court
- Represented **Godrej & Boyce** in an Environment (Forest) matter before the Supreme Court
- Represented **United Breweries Limited/Aditya Birla Group/Infinite Group/JSW Group** in disputes relation to Land Acquisition matter before the Supreme Court
- Represented **Lafarge Group, France** before the Mining Tribunal & Environment Tribunal in various matters.
- Represented **DLF Group**, before Supreme Court/High Court and various Misc Fora
- Represented **HDFC Bank Limited** in relation to tax Matters before the Supreme Court
- Supreme Court litigation in relation to the **Lilavati Hospital (Mumbai)** on behalf of the K.K. Mehta Family (**Family law / Criminal law**)
- Represented and advised **Oswal Group** in various forums (Supreme Court of India/ High Court/ Copyright Board)



- Represented and advised **Radico Khaitan Limited** in various forums (Supreme Court of India/ High Court/ District Courts)
- Representing and advising various **Aditya Birla Group** Companies (Idea Cellular Limited, Hindalco Industries Limited, Grasim Limited, UltraTech Cement Limited and Aditya Birla Nuvo Limited)
- Represented **Lanco Industries** before the Supreme Court relating to penalty under the Excise Act – landmark issue
- Represented **Ikea Singapore** before the Supreme Court in a landmark issue relating to taxation of expatriate employees
- Supreme Court litigation 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 **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
- 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
- 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
- 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
- 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
- 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
- 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



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- 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
- 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
- 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
- Represented **Havells India Limited** before the Delhi High Court in relation to passing off of their IPO
- 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.
- Represented Pilani Investment & Corporation Limited before National Company Law Appellate Tribunal, New Delhi and Supreme Court in relation to provision of Companies Act dealing with operations and Mismanagement
- Represented Calcutta Investment Company before National Company Law Appellate Tribunal, New Delhi and Supreme Court in relation to provision of Companies Act dealing with operations and Mismanagement
- Represented Hindustan Motors Limited before National Company Law Appellate Tribunal, New Delhi in relation to Sale of Business Asset to a foreign Firm under the provision of CIA (Repealed) and provision of the Insolvency & Bankruptcy
- Represented Rural Electrification Corporation Limited before National Company Law Appellate Tribunal, New Delhi in relation to whether IBC proceeding can be initiated against a Corporate Guarantor without first proceeding against the Principal Borrower.
- Represented **Essel Mining & Industries Limited** before the High Court of Orissa at Cuttack in relation to Mining matter
- Represented various Clients in the Shareholders disputes before Supreme Court / High Court / Company Law Board including Branopac, Germany, Theolia S.A., France, US based Real Estate Fund, several Indian Corporate House
- Represented various Clients including **HeidelbergCement India Limited, Ballarpur Industries Limited, Ginni Filaments Limited, Hyderabad Industries Limited, Lafarge Aggregates & Concrete India Private Limited** in relation to



the Constitutional challenge to levy of Entry Tax by the States in India

- Represented various Clients in the Shareholders disputes before Supreme Court / High Court / Company Law Board including Branopac, Germany, Theolia S.A., France, US based Real Estate Fund, several Indian Corporate House
- Represented **Collyer Logistic International Limited** before High Court / Company Law Board
- Represented various Clients before National Green Tribunal including **Radico Khaitan Limited, United Spirits Limited, India Glycols Limited, Shakumbari Sugar and Allied Industries Limited, Ginni Filaments Limited, Hyderabad Industries Limited and UltraTech Cement Limited.**
- Represented **Hershey India Private Limited** in relation to Biodiversity Act, 2002
- Represented **GKW Limited** before the Appellate Authority for Industrial and Financial Reconstruction and the High Court of Delhi on deregistration of Sick Companies - law settled
- 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
- Advised **Noida Toll Bridge Company Limited** in relation to Stamp Duty dispute
- Advised **Sun Pharmaceutical Industries Limited** on Regulatory issues
- Advised **Cadbury India Limited** in relation to Biodiversity Act, 2002
- Advised **Cadbury India Limited** in relation to Madhya Pradesh Pollution Control Board
- Advised **Marico Limited** in relation to Madhya Pradesh Pollution Control Board
- Advised **Coca Cola India Private Limited** in relation to Biodiversity Act, 2002
- Advised **Nestle India Limited** in relation to Biodiversity Act, 2002
- Advised **Heinz India Private Limited** in relation to Biodiversity Act, 2002
- Advised **Emami Limited** in relation to Biodiversity Act, 2002
- Vanita 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**).



Judgments:

Supreme Court

- Voestalpine Schienen GmbH vs. Delhi Metro Rail Corporation Ltd. dated 10.02.2017 (Coram A.K. Sikri and R.K. Agrawal, JJ.)
- Common Cause and Ors. Vs. Respondent: Union of India (UOI) and Ors. dated 02.08.2017 (Coram Madan B. Lokur and Deepak Gupta, JJ.)
- HRD Corporation Vs. Respondent: GAIL (India) Limited dated 31.08.2017 (Coram Rohinton Fali Nariman and Sanjay Kishan Kaul, JJ.)
- STATE OF UTTARAKHAND & ORS. Vs. KUMAON STONE CRUSHER (Transit fee) dated 15.09.2017 (Coram A.K. SIKRI and ASHOK BHUSHAN, JJ)
- STATE OF KERALA AND OTHERS Vs. FR. WILLIAM FERNANDEZ ETC.ETC. (Entry Tax Matter) dated 09.10.2017 (Coram A.K. SIKRI and ASHOK BHUSHAN, JJ)
- PLASTIBLENDS INDIA LIMITED Vs. ADDL. COMMISSIONER OF INCOME TAX, MUMBAI & ANR. dated 09.10.2017 (Coram A.K. SIKRI and ASHOK BHUSHAN, JJ)
- State of Kerala and Others Vs. Fr. William Fernandez Etc (Entry Tax Matter) dated 09.10.2017 (Coram A.K. SIKRI and ASHOK BHUSHAN, JJ)
- Plastiblends India Limited Vs. Addl. Commissioner of Income Tax, Mumbai and Ors. dated 09.10.2017 (Coram A.K. SIKRI and ASHOK BHUSHAN, JJ)
- Federation of Indian Mineral Industries and Ors. Vs. Union of India (UOI) and Ors. dated 13.10.2017 (Coram Madan B. Lokur, Sanjay Kishan Kaul and Deepak Gupta, JJ.)
- Commissioner of Income Tax-I, Kolhapur Vs. Respondent: Chaphalkar Brothers Pune dated 07.12.2017 (Coram Rohinton Fali Nariman and Navin Sinha, JJ.)

Delhi High Court

- GVK Power (Goindwal Sahib) Limited & Anr. Vs Union of India & Anr. dated 09.03.2017 (Coram - Badar Durrez Ahmed and Sanjeev Sachdeva, JJ)
- Zee Entertainment Enterprises Ltd. Vs. Saregama India Ltd. Dated 22.03.2017 (Coram - Pradeep Nandrajog and Yogesh Khanna, JJ)
- J.K. Mittal & Company Vs. Union of India dated 14.09.2017 (Coram - Dr. S. Muralidhar and Prathiba M. Singh, JJ)

Publications and Presentations:

Article on Delhi High Court upholds contra proferentem to settle ambiguity between two conflicting Clauses in a contract published in Khaitan & Co Ergo - Newsflash



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Article on Central Government notifies the awaited Wetlands (Conservation and Management) Rules, 2017 published in Mondaq & Lexology

Article on Supreme Court clarifies scope of challenge to the arbitral tribunal under the Arbitration and Conciliation Act, 1996 post 2015 Amendment published in Mondaq

Article on Supreme Court expands Governments powers to ban drugs under Section 26a of the Drugs Cosmetics act 1940 published in Mondaq

Article on Supreme Court financial certificate not mandatory for foreign operational creditors and lawyers allowed to issue demand notice to a corporate debt under IBC published in Mondaq

Article on Supreme Court holds levy of contribution to District Mineral Foundation Trust cannot be collected retrospectively under the MMDR Act published in Mondaq

Article on Supreme Court Imposes Huge Fine for Illegal Mining in State of Odisha without Forest Clearance and Environment Clearance published in Khaitan & Co Ergo

Article on Supreme Court interprets legislative intent to appoint 'neutral', 'impartial' and 'independent' arbitrators published in Mondaq & Lexology

Article on Supreme Court interprets the definition of 'Dispute' under the Insolvency and Bankruptcy Code 2016 published in Mondaq, Inter-Pacific Bar Association (IPBA) Journal. & Lexology

Article on Supreme Court interprets the definition of Dispute under the Insolvency and Bankruptcy Code, 2016 published in The Practical Lawyer - November 2017

Article on Supreme Court upholds the levy of transit fee on forest produce under Indian Forest Act, 1927- Minerals also forest produce published in Mondaq Analysis of the Arbitration and Conciliation (Amendment) Ordinance, 2015 on aspects relating to the appointment of arbitral tribunals and the fee structure for arbitral tribunals under Section 11, Section 11A and Section 29B.

Article on Delhi High Court Strikes Down Notification Dated 10 March 2016 Issued By The Government Of India Banning 344 Fixed Dose Combination (FDC) Drugs published in Mondaq

Significance of independence and impartiality in constitution of arbitral tribunals – critical analysis

Article on Fixed dose combination drugs – to be banned or not to be banned published in Express Pharma 6 January 2016

Delhi HC re-iterates interim relief to lawyers as Govt. 'Press Release' faces withering attack as published on GSTsutra



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