



Ritin Rai SA

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Practice Profile

Admitted

- 1995 India; 1999 New York
- Designated a Senior Advocate by the Supreme Court of India - March 2019

Ritin started his career in 1998 as an Associate in the Business Practice Group of Jones Day in its Cleveland office before relocating to India to practice corporate law. He transitioned to a disputes practice in 2004 when he joined the Chambers of Ashok H. Desai, a Senior Advocate and formerly Attorney General for India. Ritin has been designated a Senior Advocate by the Supreme Court of India in 2019.

Ritin brings his experience as a corporate lawyer to bear on a variety of commercial and regulatory disputes, including in company, competition, insolvency and telecommunications law. His practice spans appearances in the Supreme Court of India, the High Court of Delhi, the commercial tribunals situate in Delhi and before arbitral tribunals.

Ritin accepts instructions to appear both as counsel and as arbitrator in arbitral disputes, and as an Indian law expert in courts or forums outside India. Ritin is on SIAC's panel of arbitrators. He is a member of the ICC India Arbitration Group and the India Rapporteur for the 3rd Edition of the "ICC Guide to National Procedures for Recognition and Enforcement of Awards under the New York Convention".

Ritin also teaches a course on the practice of commercial disputes at the Jindal Global Law School where he has been appointed Honorary Adjunct Professor of Law and Distinguished Professor of Legal Practice.

Since 2017, Ritin has been engaged in the following arbitral matters which may be disclosed:

- Representation of a **consumer healthcare products company** in disputes relating to investments made in the company by certain financial service providers before a panel of three retired Chief Justices of the Supreme Court of India
- Representation of a **Mauritius investment fund** in disputes relating to the repayment on its investment in an Indian real estate company before a retired Judge of the Supreme Court of India
- Representation of the **exiting founder group** in disputes relating to the terms of their exit, including non-compete obligations before a panel of 3 retired Judges of the Supreme Court of India
- Appointed **sole arbitrator** by the ICC International Court of Arbitration in disputes arising out of a consultancy agreement for an infrastructure project in Karnataka (India)
- Representation of a **shareholder group** in disputes relating to the exercise of a call option (emergency arbitrator proceedings under SIAC Rules)
- Representation of an **Indian manufacturer of non-ferrous alloys** in a dispute governed by LCIA India Rules arising out of a contract for the design, supply and commission of an aluminium mill
- Representation of an **Indian public sector company** in a dispute governed by ICC Rules arising out of a contract for the supply of a hot strip mill at its steel plant
- Appointed **sole arbitrator** by the Delhi High Court in two disputes between Kendriya Bhandar and the Government of India
- Representation of company in the **Maire Tecnimont** group in disputes arising out of an EPCC contract in a petrochemical complex. (co-counsel with an Italian law firm)
- Representation of an **engineering construction company** in disputes arising out of the termination of a contract for rural electrification before a panel of 3 retired Judges of the Supreme Court of India.
- Representation of **Siemens Limited** in two separate disputes arising out of completion of electrical works in a thermal power plant before panels of 3 retired judges of the Supreme Court of India.
- Representation of **Siemens Logistics India Private Limited** before a retired Judge of the Supreme Court of India in disputes arising out of a contract for the construction of an airport cargo handling facility.
- Representation of the **Indian joint venture partners** in a SIAC arbitration arising out of disputes following the termination of a joint venture in the media entertainment space.

Representative matters in Court since 2017 with which Ritin has been involved and which are a matter of public record are:

- Representation of **Indus Biotech Private Limited** in disputes relating to the interplay between the Insolvency Code and the Arbitration Act, and to the constitution of a common arbitral tribunal by the Supreme Court of India (**reported in Indus Biotech v. Kotak India 2021 SCC Online SC 268**)
- Representation of **home buyer creditors** of Jaypee Infratech Limited in proceedings relating to the approval of an insolvency resolution plan (**reported in Jaypee Kensington Boulevard Apartments v. NBCC (India) 2021 SCC Online SC 253**)
- Representation of the **Kasliwal group** in proceedings relating to the pre-deposit provisions of the Recovery of Debts Act (**reported in Kotak Mahindra v. Ambuj A. Kasliwal 2021 3 SCC 549**)
- Representation of **Medima LLC** in proceedings arising out of an anti-arbitration injunction suit and proceedings to appoint an arbitrator, both filed by Balasore Alloys Ltd. (**reported in Balasore Alloys Ltd. v. Medima LLC (2020) 9 SCC 136**)
- Representation of **Cochin Port Trust** in proceedings relating to the liability of shipping agents for storage and port charges (**reported in Cochin Port Trust v. Arebee Star Maritime 2020 SCC Online SC 622**)
- Representation of **Quippo Construction Equipment Limited** in a jurisdictional challenge to the power of a court to entertain a setting aside petition in an arbitration seated outside its territorial jurisdiction (**reported in Quippo Construction v. Janardan Nirman, 2020 SCC Online SC 419**)
- Representation of **Alimenta SA** in proceedings by NAFED challenging a foreign award arising out of a FOSFA arbitration (**reported in NAFED v. Alimenta SA, 2020 SCC Online SC 381**)
- Representation of Airvisual Limited in proceedings challenging an application to the Supreme Court to constitute the arbitral tribunal in a foreign seated arbitration (**reported in Mankatsu Impex v. Airvisual Limited, (2020) 5 SCC 399**)
- Representation of **home buyer creditors** of Jaypee Infratech Limited in proceedings relating to the scope of “financial creditors” under the Insolvency and Bankruptcy Code, 2016 (**reported in Anuj Jain v. Axis Bank, (2020) 8 SCC 401**)
- Representation of **Gammon Engineers and Contractors Private Limited** in proceedings to challenge the constitutional validity of amendments made in 2019 to the Indian Arbitration and Conciliation Act, 1996 (**reported in Hindustan Construction Company v. Union of India, 2019 SCC Online SC 1520**)
- Representation of **Reliance Jio Infocomm Limited** in proceedings related to the computation of license fees under

telecom licenses issued by the Government of India (**reported in Union of India v. Association of Unified Telecom Service Providers, (2020) 3 SCC 525**)

- Representation of **Go Airlines (India) Limited** in proceedings relating to the dismissal of its counter claim by an arbitral tribunal on the ground that it lacked jurisdiction (**reported in Bharat Petroleum Corporation Limited v. Go Airlines (India) Ltd. (2019) 10 SCC 250**)
- **Indian law statement** to plaintiffs in an environmental claim instituted in the **US District Court for the District of Columbia** against International Finance Corporation (**August 2019**)
- Representation of companies in the **Maire Tecnimont** group in a setting aside petition filed by ONGC Petro Additions Limited in the Delhi High Court (**Petition dismissed by the Delhi High Court - July 2019**)
- Representation of **Reliance Jio Infocomm Limited** in competition law proceedings alleging cartelization and abuse of dominance by incumbent telecom operators (**reported in Competition Commission of India v. Bharti Airtel Ltd. & Ors. (2019) 2 SCC 521**)
- Representation of **twelve U.S. law firms** in the Supreme Court in an appeal filed by the Bar Council of India seeking restrictions on the ability of foreign law firms to practice in India (**reported in Bar Council of India v. A. K. Balaji & Or. (2018) 5 SCC 379**)
- Representation of **Cruz City** in proceedings before the High Court of Delhi to enforce an LCIA award against Unitech Limited (**reported in Cruz City 1 Mauritius Holdings v. Unitech Limited 239 (2017) DLT 649**)
- Representation of **Government of India** in proceedings in the Supreme Court relating to retrospective operation of court fee amendments (**reported in K. Raveendranathan Nair v. Commissioner of Income Tax & Ors. 2017 (8) SCALE 712**)
- Representation of the **Department of Telecommunications, Government of India** in the Supreme Court re challenges to the spectrum auction held by the Department of Telecommunications (**reported in Reliance Telecom Limited v. Union of India (2017) 4 SCC 269**)
- Representation of the **Raja of Mahmudabad** in proceedings before a Constitution Bench of the Supreme Court relating to the Ordinance making power of the executive (**reported in Krishna Kumar Singh v. State of Bihar (2017) 3 SCC 1**)

Education

- St. Stephen's College, Delhi University (B.A. (Honours) Economics, 1992)
- Campus Law Centre, Delhi University (LL.B., 1995)
- St. Catherine's College, University of Oxford (B.C.L., 1997)
- Harvard Law School (LL.M., 1998)