



ARUNAV GUHA ROY

Designation: Partner Designate

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Expertise: Dispute Resolution, Commercial Litigation, Arbitration

Education: LL.M. - Queen Mary University of London (Dist.),
B.A. LL.B (Hons.) - National Law University, Delhi

Bar Admission: Bar Council of Delhi Solicitor, Senior Courts of England & Wales

Overview: Arunav is a Partner Designate with the Dispute Resolution team at Saraf and Partners. Arunav is qualified to practice as an Advocate in India and as a Solicitor in the Senior Courts of England & Wales. He has over eight years' experience in acting for domestic and foreign clients in areas of arbitration and commercial litigation.

Arunav has represented clients in litigations and arbitrations focusing on construction, insolvency, trusts, environment, joint ventures/ SHAs, consumer protection, data protection and trademark infringement disputes; apart from undertaking merger filings, enforcing foreign judgments/awards and providing pre-litigation advice. He has acted for engineering companies, as contractors and PMCs, in construction arbitrations and has experience in sectors spanning oil and gas, road, power and renewable energy (wind and solar power). He has also represented both lenders and borrowers in commercial and insolvency matters and has represented clients before Supreme Court of India, High Courts, District Courts, Debt Recovery Tribunals, NCLTs and Consumer Fora. Arunav has also undertaken a mini pupillage at Red Lion Chambers, London where he shadowed Jennifer Dempster (King's Counsel) during his postgraduate studies.

Arunav has served as a teaching faculty in the Certificate Programme in Contractual Dispute Resolution, jointly offered by the Indian Council of Arbitration, All India Management Association and the World Bank and has also assisted Mr. Sanjeev Kumar Sharma in lectures taught at Jindal Global Law School on practical aspects of dispute resolution. Arunav has published articles in various journals including Arbitration International (Oxford University Press), the International Journal of Mediation, Arbitration and Dispute Resolution (CIArb) and Global Arbitration Review (GAR).

Experience: Highlights of matters handled by Arunav are set out below:

- Representing **an engineering company** in arbitration proceedings pertaining to the construction of a national highway in the State of Uttar Pradesh, with claims exceeding Rs. 500 crores.
- Representing **a multinational advertising and public relations group** in its insolvency disputes before National Company Law Tribunals across India and commercial suits before different courts in India.
- Represented **an infrastructure company** in criminal and arbitration proceedings against a contractor in respect of a contract for laying down optical fibre cables in the north-eastern states under a tender for the defence network.
- Successfully represented **a South Africa based investor** (as the Respondent) in a Delhi-seated domestic commercial arbitration under the UNCITRAL arbitration rules, concerning disputes relating to the exercise of a ROFR clause in a stake sale, of Mumbai International Airport Limited, over INR 12 billion.
- Representing **a leading hospitality company** (as the Claimant) in ad-hoc domestic commercial arbitration proceedings seated in Ahmedabad, Bhubaneswar, Pune and Kerala, and incidental court proceedings seeking interim measures of protection.
- Represented **a leading packaged mineral water manufacturer** in its various litigations against various notifications by Central and State Governments pertaining to the use of PET bottles.
- **Maruti Suzuki:** in relation advice on pre-arbitration claims under ICSID rules under a bilateral investment treaty.
- **Lite Bite Foods:** in various arbitration proceedings relating to disputes over food and beverage concessions at different civilian airports in India.
- **ASK Property Investment Advisors:** in insolvency proceedings against a real estate property development conglomerate and its promoter before the Bombay High Court, Bengaluru Commercial Court and NCLT Bengaluru with claims aggregating to over Rs. 1000 Crores.
- **KLJ Resources:** as the successful resolution applicant in appellate proceedings before NCLAT, New Delhi with a transactional value of over 200 crores.
- **Fortis Hospitals:** in merger proceedings before NCLT, Delhi and NCLT, Chandigarh.
- **Aditya Birla Finance Limited:** Successfully represented Aditya Birla Finance Limited (ABFL) against SEI Suryashakti Power Private Limited (a project company of SunEdison USA), seeking interim relief, on account of certain defaults, in proceedings before the Delhi High Court, initiated under Section 9 of the Arbitration and Conciliation Act, 1996. ABFL had executed a term loan facility of INR 180 crores in favour of the Respondent, for the purpose of implementing a 30 MW solar photo-voltaic power plant in District Tumkur, Karnataka. The total claim in the matter amounted to INR 69.16 crores.

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- **Royal Bank of Scotland N.V.:** Represented the Royal Bank of Scotland N.V. (RBS) in an appeal, against a decision of the Debts Recovery Tribunal, before the Debts Recovery Appellate Tribunal ('DRAT') in relation to defaults under a term loan facility extended to a borrower for the purpose of purchasing a home that was to be constructed.
 - **Hero Wind Energy Private Limited:** Represented Hero Wind Energy in disputes due to defaults arising under operation and maintenance agreements executed with Inox Wind Infrastructure Services Ltd in respect of various wind turbine projects situated across India, totalling to over 80 MW.
 - **Air Liquide E&C Solutions (India) Pvt. Ltd.:** Successfully represented Air Liquide in a construction arbitration against Indian Oil Corporation Limited (IOCL) in relation to disputes pertaining to variations and unpaid invoices under a tender for redevelopment of IOCL's Oil Refinery at Haldia, West Bengal. The total claim in the matter amounted to Rs. 30 Crores.
 - Successfully represented **an international construction company** in criminal proceedings initiated by a former employee against the Directors of the company.
 - Advised **a Japanese company**, at the pre-arbitration stage, in relation to a treaty claim against the Republic of India under the ICSID Arbitration Rules.
 - Representing **a leading restaurant aggregator and food delivery start-up** in disputes relating to its services and products, before high courts in India.