



Counsel (Registered Foreign Lawyer) | Arbitration & Mediation Counsel

Pranav Kamnani

M: +65 98407618

T: +65 6220 0325

pkamnani@pdlegal.com.sg

KEY PRACTICE(S)

International Arbitration

Corporate, Commercial & Civil Disputes

Corporate & Commercial Advisory

QUALIFICATIONS

School of Law, Christ University, BB.A. LL.B.

Columbia University, LL.M.

Legal 500's Asia Pacific Guide (2021 and 2022)

PUBLICATIONS

- Co-author, Book Review of 'Contemporary Issues in Mediation: Volume 8', Joel Lee, *et al. eds* (2023), in The Journal of International Arbitration, Mediation and Dispute Management (Issue 90.4, Nov. 2024)
- Co-author, 'Arbitration Agreements and Insolvency Proceedings: Comparing the Pro-Arbitration Perspectives in Singapore, the United Kingdom and India and Calling for International Consensus', in Kluwer Arbitration Blog (Jan. 18, 2023)

Pranav is a Registered Foreign Lawyer and a member of PDLegal's International Arbitration and India Desk practice. He is a dual qualified lawyer and admitted to practice in India (2019) and the state of New York (2024).

Pranav's main areas of practice include complex commercial and cross-border disputes, international arbitration, and advisory services, with a primary focus in disputes relating to joint-ventures, shareholder disputes, dry-shipping and construction. Pranav also has a strong interest in industry sectors such as technology and telecommunication, aviation and defence, and oil and natural gas.

In India Business Law Journal's 2024 report, a client commented that he "*played a very active and hands-on role in the arbitration proceedings and was extremely efficient*".

Prior to joining the PDLegal, Pranav served as an Associate at the New Delhi office of a leading pan-India law firm for three years. Pranav was also recognised by *The Legal 500* (2021 and 2022 Ed.) for his contribution to the dispute resolution practice of his former firm.

During his time at Columbia Law School, Pranav served as a Submissions Editor for the American Review of International Arbitration and a Research Assistant to Professor George A. Bermann, Gellhorn Professor of Law, and Monnet Professor in European Union Law.

WORK HIGHLIGHTS

ARBITRATION

- Acted as first chair for one of India's leading cashew exporters with a legacy of 80 years, in an international commercial arbitration under the aegis of the Singapore International Arbitration Centre, in relation to disputes arising out of sales contracts and a settlement agreement executed during the spread of COVID-19.

- Co-author, '*Arbitration in India: The Constitutional Framework and Decisions of the Supreme Court of India*' in *Arbitragem e Constituição*, published by Thomson Reuter, Brazil (2023).
- Author, '*Interim Measures of Protection: No Longer a Tug of War?*' *Bar & Bench* (Apr. 20, 2022, 11:16 PM).
- Author, '*The Scope of Judicial Intervention in the Appointment of an Arbitrator*', *RMNLU Arbitration Law Blog* (Feb. 9, 2020).
- Co-author, '*Regulation of Third-Party Funding of Arbitration in India: The Road Not Taken*', *Indian J. Arb*, Jan 2020, at 151.
- Acting as first chair for a shipping company in a Singapore seated *ad-hoc* arbitration for demurrage claims arising out of a voyage charterparty.
- Represented an Abu Dhabi based shipping company in two parallel LMAA arbitrations for claims arising out of BIMCO agreements for the sale, lease and buy-back of two vessels. This matter was successfully resolved in mediation conducted in Dubai.
- Advising individuals in relation to a partnership dispute and potential SIAC arbitration relating to a residential development project in Indonesia.
- Advising a company incorporated in North Carolina in relation to a potential arbitration for recovery of dues arising from a technology service agreement.
- Advising a high-net worth individual in a Civil Appeal before the Supreme Court of India, impugning a judgment of a High Court setting aside an arbitral award and concluding that the transaction in question is a mortgage and consequently, non-arbitrable.
- Represented a subsidiary company of a Japanese corporation consistently ranked in the Fortune Global 500, in an arbitration seated in New Delhi. This arbitration was initiated against a buyer for the recovery of payments due under a sales contract for the supply of steel material. Successfully assisted the client in arriving at a settlement and obtaining an arbitral award in terms of the settlement. *
- Represented Helm AG, a Hamburg based family-owned agro-chemical company in post-award proceedings for setting-aside of an arbitral award sought by Canara Bank. The arbitral award was rendered in a complex multi-party arbitration arising out of an agreement between Helm and State Trading Corporation for the supply of urea. **See for example**, *Canara Bank v. Helm Dungenmittel GMBH*, 2022 SCC OnLine Del 1077. *
- Represented a public private joint venture company that focuses on promoting skill development in India, in an arbitration proceeding initiated against a program partner for alleged misutilization of funds and differences arising out of an agreement for disbursement of a grant for a project initiative. *

JOINT VENTURE AND SHAREHOLDER DISPUTES

- Assisting the team advising minority shareholders for claims against the majority shareholders and directors of a Singapore

incorporated holding company that owns subsidiary companies that operate a social-lending app in India.

- Assisting the team advising and representing a high net-worth individual and a turnkey education solution company incorporated in Dubai in relation to disputes arising out of a joint venture set-up in Singapore and India for virtual reality ed-tech services. These disputes relate to alleged white-collar crimes and breach of fiduciary obligations by director(s) and other company officers of the joint venture company.
- Represented McDonalds India Private Limited (“MIPL”) in an oppression and mismanagement petition before the National Company Law Appellate Tribunal, New Delhi relating to a joint venture dispute with its JV partner for North and East of India. Also assisted the team that advised and represented MIPL in a parallel arbitration proceeding for disputes and differences arising out of the concerned joint venture agreements under the aegis of the London Court of International Arbitration. *
- Represented an Indian entity that entered in a joint venture with a Spanish brand dedicated to creation of art porcelain figures, in connection with a shareholder’s dispute, which led to two parallel proceedings. One action was an oppression and mismanagement proceeding before the National Company Law Tribunal, New Delhi and the other action was an international commercial arbitration under the aegis of the ICC Court of Arbitration seated in Paris. *
- Assisted the team advising an international luxury cosmetic company in a joint venture shareholders dispute pertaining to a luxury ayurveda skincare brand in India. *

CONSTRUCTION RELATED DISPUTES

- Represented an employer, which is the subsidiary company of a Japanese chemical corporation, in a domestic arbitration seated in New Delhi and successfully defended all claims for extra-works by the contractor. The claims related to the execution of a turnkey project for the design and construction of the extension of a GCLE manufacturing facility in Rajasthan, India. *
- Represented DLF Home Developers Limited in two parallel proceedings before the Supreme Court of India for the appointment of an arbitrator in two international commercial arbitrations. These petitions were filed pursuant to two construction management agreements and other related investment agreements. This representation led to a landmark

judgment of the Supreme Court of India on the appointment of an arbitrator by courts pursuant to Section 11 of India's Arbitration and Conciliation Act, 1996, and consolidation of *ad-hoc* arbitration proceedings. **See** *DLF Home Developers Limited v. Rajapura Homes Private Limited*, (2021) 16 SCC 743. *

- Represented DLF Home Developers Limited in two parallel international commercial arbitrations seated in New Delhi. These arbitration proceedings were initiated under the respective construction management agreement(s) but also involved issues relating to certain investment and share purchase agreements. *
- Advised a Japanese engineering corporation, who is the lead partner of a construction consortium, in developing a dispute resolution strategy and pursuing claims against the employer. This advisory related to the performance of obligations arising out of a Plant and Design-Build FIDIC Yellow Book contract for the design and construction of special steel bridges for the Western Dedicated Freight Corridor in India. *
- Represented a construction company in arbitration proceedings seated in New Delhi and initiated by a landowner for claims, arising out of a joint-venture agreement for the development of premium apartments in Gurgaon, Haryana. Successfully assisted the client in arriving at a settlement and obtaining an arbitral award in terms of the settlement. *
- Assisted a team of two senior partners advising an airline manufacturer for potential claims arising out of a contract awarded by the Government of India and a sub-contract for the construction of aircraft hangars. *

AVIATION AND DEFENCE

- Assisted a team of three senior partners advising an airline manufacturer in relation to proceedings initiated by survivors and/or next-of-kin of an international flight that crashed in India. This advisory included advising on the ratification of the Montreal Convention, 1999 by India and other related laws, and assisting an American law firm in setting up a defense of forum non-conveniens for personal injury claims initiated in the United States. *
- Advised and represented a Florida based yacht manufacturing company in a potential ICC arbitration and in arriving at an amicable resolution in relation to the recovery of liquidated damages deducted. The disputes and differences arose out of

an agreement for the supply of equipment to the Government of India. *

OIL AND NATURAL GAS

- Assisted the team representing a Malaysian marine contracting company in an arbitration proceeding seated in Mumbai and initiated against one of India's largest public-owned oil and natural gas company for high value claims arising out of an agreement for offshore oil drilling services near Mumbai. Also advised and represented the company for proceedings relating to setting-aside of the resulting arbitral award for non-award of certain claims. *
- Advised and represented a public sector undertaking, which is India's largest natural gas company, in defending an application for setting aside of an arbitral award for high-value claims awarded pursuant to gas supply agreements. *
- Advised and represented a public sector undertaking, which is India's largest natural gas company, in applying for the setting aside of an arbitral award. The arbitral award was sought to be set aside on questions relating to the applicability of the Micro, Small and Medium Enterprises Development Act, 2006, amongst other issues. *

TECHNOLOGY & TELECOMMUNICATION

- Represented and advised a listed company that is a leading optical and digital solutions provider in a dispute with the Department of Telecommunications, Ministry of Communications in connection with alleged breaches of an Infrastructure Provider-I license agreement issued for providing passive infrastructure network. This dispute led to court proceedings for seeking interim measures of protection and the appointment of an arbitrator. These proceedings were followed by arbitration proceedings. *
- Represented a Singapore based telecom giant in proceedings before the Supreme Court of India in relation to differences between telecom operators and the Department of Telecommunications, Ministry of Communications, Government of India, with respect to the computation of adjusted gross revenue for the purposes of license fee. **See** *Union of India v. Association of Unified Telecom Service Providers of India and Others*, 2020 SCC OnLine SC 703. *
- Represented an enviro-engineer company before the Supreme Court of India in relation to a constitutional challenge against a

blacklisting order passed by the concerned department of a state government in connection with the execution of a procurement contract for a smart cleaning technology product.

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GENERAL ADVISORY

- Advising a Singapore based educational institution in the closing down of its subsidiary and business in India.
- Assisted the Singapore subsidiary of a ship repair and ship maintenance company in conducting a corporate investigation on one of its employees and his connection to certain entities in India.
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- Assisted the employee of a tech solution company in defending allegations relating to breach of non-compete and non-solicitation. This matter was successfully resolved in mediation conducted under the aegis of the Singapore Mediation Centre.
- Assisted the team advising an Avaya certified partner company, its director and former employee in defending allegations of misappropriation of confidential information and diversion of business opportunities. Represented the parties in the mediation proceedings conducted under the aegis of the Singapore Mediation Centre.
- Assisted an individual, a former Vice President of Goldman Sachs (India) and JP Morgan Chase (India), who was appointed as the CTO of a Singapore company for differences relating to the termination of the client's employment and his entitlement to ESOPs.
- Assisted a team of two senior partners advising a leading supplier of radio and broadcast solutions headquartered in Munich on the implications of a battle of forms under Indian law.
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- Assisted a team of two senior partners rendering general advisory services to the Indian arm of an American non-profit organization set-up by a former president of the United States.
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- Advised and assisted the Indian arm of an American non-profit organization set-up by a former president of the United States, in preparing a Request for Proposal for the Supply of Portable Digital Chest X-Ray Equipment and Computer-Assisted Detection Software for TB Screening. *

- Advised VOI Jeans Retail India Private Limited on general legal affairs and disputes, up till early 2024.
- Advised an individual in relation to a crypto investment scam in India. *

*Matters Pranav was involved in prior to joining PDLegal.