



## Arva Merchant

Partner

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### Practices:

Dispute Resolution  
International Arbitration  
Real Estate

### Education:

LL.M., University College London, London (2008)  
B.S.L., LL.B., ILS Law College, Pune (2007)  
Course in Insolvency and Bankruptcy Laws,  
Indian Institute of Corporate Affairs,  
Ministry of Corporate Affairs, Gurgaon (2019)

### Professional Affiliations:

Bar Council of Maharashtra & Goa  
ENERAP Energy Related Arbitration  
Practitioners, Founding Member – India  
Chapter  
Society of Construction Law, India

Arva Merchant is a Partner in the Dispute Resolution and Real Estate practice groups in the Chennai office. Prior to joining the Firm, Arva was an independent practitioner. Her practice focusses on litigation and arbitration involving commercial and real estate laws. Arva also advises real estate and other corporate clients on transactions and due diligence during acquisition.

Arva advises on shareholders disputes, infrastructure and construction industry clients, heavy duty equipment manufacturers, real estate clients, public and charitable trusts and NBFC players on strategy and law. She has also worked on cases of national import, appearing before the Supreme Court of India.

Arva appears before the Supreme Court, High Court of Madras, Arbitration Tribunals, National Company Law Appellate Tribunal and National Company Law Tribunal, Real Estate Regulatory Authority.

Arva is also part of the Firm's voluntary initiative, **Arise - Diversity and Inclusion**, working on rights of persons with disabilities and gender issues. She was instrumental in creation of the Firm's Handbook on Rights of Persons with Disabilities in collaboration with a connected NGO.

### Representative Matters:

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

#### Dispute Resolution

- **Sojitz (Thailand) Company Limited**, a leading trader in commodities, for recovery of contractual claim against an established manufacturer of auto parts;
- **Saregama India Limited**, before the Madras High Court in a writ petition challenging provisions of Copyrights Law;
- A universal bank, part of one of the largest financial Scandinavian groups before the courts in Chennai in disputes relating to international trade law;
- **Howden Solyvent (India) Private Limited** on various litigations against government departments on tax law;

- **ASPEE Agro Equipment Private Limited** on a litigation for a claim against a supplier;
- **Shaze Luxury Retail Private Limited** on a claim before the Madras High Court and Arbitration Tribunal;
- **Essar Group** on a commercial arbitration against a contractor in an infrastructure project;
- American private client on an international commercial share holders' dispute;
- **Batliboi & Co. Ltd.** on a domestic commercial arbitration against a Public Sector Undertaking;
- **Alpha Industries Sdn Bhd (9196-P)**, Malaysia, on a cross border commercial dispute adjudicated in India;
- A prominent charitable and religious trust before the Supreme Court before the Nine Judge Bench in the Sabarimala Review;
- **Vijay Shanti Builders Ltd.** before the High Court of Madras and lower courts in matters concerning commercial sale and leases; and
- **Pan Resorts Ltd.** before the High Court of Madras involving property belonging to a royal family.

#### Real Estate

- **Crompton Greaves Consumer Electricals Limited** on real estate matters in its acquisition of a majority stake in Butterfly Gandhimathi Appliances Limited;
- **Scotts Sierra Investments LLC** on real estate matters and due diligence in its proposed acquisition of a coir peat and fibre entity;
- An Indian energy sector conglomerate and conducted due diligence on real estate assets of an energy company in the renewable power sector located across five Indian states;
- An Indian entity in the food industry on its corporate restructuring and treatment of immovable assets across several Indian states;
- **Birla Group Holdings Pvt Ltd** on aspects of SIPCOT transactions and legal issues during sale of its stake; and
- A major Indian telecom company on a real estate transaction involving complex contractual and regulation aspects.

#### **Publications and Presentations:**

Arva has authored the following contributions:

“**Unconscionable enrichment and right of restitution**” published by Lexology and Mondaq (November 2021);

“**E-Bills of Lading the Smart Choice Going Forward?**” published by Legal Era (November 2021);

**“Challenge under section 16 of the Arbitration and Conciliation Act 1996 – interim order or interim award?”** published by Lexology (September 2021);  
and

**“Binding Nature of Letter of Intent - Dependent on Terms and Nature of Contract”** published by Lexology and Mondaq (August 2021).