



## Kartikey Mahajan

Partner

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### Practice/s:

International Arbitration  
Commercial litigation  
Investment Treaty Arbitration  
Public International Law  
Enforcement and Global Asset  
Recovery  
White Collar Crime

### Education:

National Law University Jodhpur  
(B.Sc. LLB. (Hons.)  
Harvard Law School (LLM)

### Professional Affiliation/s:

Solicitor Advocate (with Higher  
Rights of Audience)  
State of New York  
Bar Council of Delhi  
SIAC Reserve Panel of  
Arbitrators  
Society of Construction Law –  
*Joint Secretary*  
IBA Young Lawyers Committee  
– *India Representative*  
SIAC User Councils – *Member*  
YSIAC – *Steering Committee*  
*Member*  
Y-ADR – *Steering Committee*  
*Member*

Kartikey Mahajan is a Partner in the Dispute Resolution practice group in the Singapore office. Kartikey is qualified to practice law in India, England & Wales (where he has rights of audience for all courts) and the State of New York.

His practice focuses on international arbitration (both commercial and investment treaty) and commercial litigation with a cross-border element. He appears as an advocate in his arbitrations and has also sat as arbitrator in a variety of matters. Kartikey has experience in representing clients in institutional (including under ICSID, SIAC, ICC, LCIA, HKIAC, AAA and GAFTA Rules) and ad-hoc seated arbitrations in both common law and civil jurisdictions around the world.

He has also represented clients in litigation proceedings in various jurisdictions like London, New York, DIFC, India, Singapore, Hong-Kong, Cyprus, and Iraq. Kartikey also advises clients on white collar, fraud and corruption issues, and as well as on internal and regulatory investigations (DOJ, MAS, SFO, CBI and FINMA).

His experience spans across private equity, energy (oil & gas, and renewable), infrastructure, telecom and media industries.

Prior to joining the Firm, Kartikey has worked with Magic Circle and White Shoe American law firms in London and Singapore.

### Representative Matters:

Kartikey has represented and advised the following clients:

#### Investment Treaty Arbitration and Public International Law

- Represented a **European investor** in UNCITRAL arbitration against a South American state in relation to a government-supervised customs inspection and audit programme.
- Represented **Agility Public Warehousing Company K.S.C.** in an ICSID claim about expropriation of its investment in the telecommunications sector in Iraq.
- Represented a **group of Mexican investors** in their investment treaty claim against Kingdom of Spain in relation to the resolution of a European bank.
- Advised a **South Asian investor** on a BIT claim involving expropriation and FET against Republic of India in the power sector and initiating a parallel commercial arbitration.

#### Commercial Arbitration

- Representing **Kotak India Private Equity Fund** in a SIAC arbitration against sponsors concerning a put option dispute relating to its exit from a renewable energy company (NSL Renewable Power Limited). Seat – Singapore. Indian law applied.

- Represented a **global software provider** in a AAA arbitration against its licensee in relation to illegal termination of the technology license agreement and non-payment of the royalties. Seat – New York. New York law applied.
- **Represented a UAE based wholly owned subsidiary of a global steel conglomerate** in a SIMC arbitration against UAE company in relation to damages arising from seller’s failure to supply steel slabs. Seat – Singapore. English law applied.
- Acted for a **developer of renewable energy projects** in a LCIA arbitration relating to the construction of a solar photovoltaic power plant in Mongolia. Seat – London. Mongolian law applied.
- Represented the **Dutch subsidiary of Baker Hughes LLC** in UNCITRAL arbitration against an Indian company relating to a joint venture for steam turbine products, involving misappropriation of technology and mismanagement of joint venture claims. Seat – London. Indian law applied.
- Represented **Reliance Industries Limited** against the Government of India in a UNCITRAL arbitration relating to cost recovery of explorations costs under Production Sharing Contract. Seat – India. Indian law applied.
- Represented **InterGlobe Enterprises** in a LCIA India arbitration relating to the ownership and management of IndiGo, India’s largest airline. Seat – New Delhi. Indian law applied.
- Represented **Agility Public Warehousing Company K.S.C.** in three parallel ICC arbitrations, multiple mediations, and a Beirut Chamber of Commerce arbitration (governed by Lebanese law) in relation to breaches concerning shareholders agreement and other transaction documents. Seat – DIFC. English law applied.
- Represented **CVC Capital Partners** against its Chinese joint venture partner in a HKIAC arbitration concerning breaches of information rights and related party transactions obligations that led to unjust enrichment claims. Seat – Hong Kong. Hong Kong law applied.
- Advised a **leading international equipment supplier** for the power, oil and gas industry in an AAA arbitration regarding a small-sale LNG plant project in Nigeria. Seat – New York. New York law applied.
- Represented a **U.S. engineering and construction firm** in an ICC arbitration relating to force majeure and delay claims from construction of an oil processing plant in Iraq. Seat – London. English law applied.
- Represented a **Croatian retail major and 11 other Balkan companies (as guarantors)** in a LCIA arbitration against a Russian bank in a dispute concerning repayment of bank loans. Seat – London. English law applied.
- Represented an **English consulting company** in LCIA arbitration against a leading Spanish engineering and clean technology company for recovery of monies due. Seat – London. Spanish law applied.
- Represented a **major Italian contractor** in two related ICC arbitrations against a Thai entity in relation to a Lao hydro-power plant project. Seat – Singapore. Singapore Law applied.

- Represented **an Indian mobile platform company** against its Singapore investor in relation to exit of the promoters from the company, and breach of ROFR and other shareholder rights. Seat – Singapore. Singapore law applied.
- Represented **Turner Asia Pacific Ventures** in a SIAC arbitration against its joint venture partner concerning its exit from the joint venture. Seat – Singapore. Indian law applied.

Commercial Litigation (before Indian and foreign courts)

- Representing a **UAE based sovereign wealth fund** in relation to exiting its investment in an Indian joint venture in the infrastructure space and the ensuing litigation before the Indian courts.
- Representing **Kotak India Private Equity Fund** before the NCLT and NCLAT in an oppression and mismanagement claim of NSL Renewable Power Private Limited.
- Representing the **InterGlobe Enterprises** in 1782 proceedings before Maryland and Florida courts for discovery in aid of a LCIA India arbitration.
- Represented **Revlon Inc** in a post M&A dispute involving warranty claims as well as employment law issues against its Italian joint venture partner before the English High Court.
- Represented **CVC Capital Partners** in obtaining a *mareva injunction* from High Court of Hong Kong against Venturepharma Group (China) Corp to restrain it from disposing his assets worldwide.
- Represented a **global logistics company** in two DIFC Court proceedings for breach of the director duties relating to the DIFC arbitration commenced by the client.
- Represented a **global warehousing company** in a 1782 proceeding before the Southern District of New York for discovery in aid of DIFC seated arbitrations.
- Advised a **global steel major** in terminating its mining joint venture (in Mozambique) and initiating English commercial court litigation against its joint venture partner.
- Advised **Baker Hughes LLC and General Electric Company** before the NCLT Bangalore and NCLAT proceedings in relation to exiting the joint venture in India and referring the matter to arbitration.

**Publications and Presentations:**

Kartikey is a regular speaker at dispute resolution centric conferences, including

- **“International Outreach v Protectionism”** at the IBA Webinar on Fundamentals of international business legal practice, February 2022.
- **“Relevance and Role of Experts in Determination of Construction Disputes”** at the SCL India Conference, December 2021.
- **“ESG Disputes”** at the YSIAC Conference, October 2021.
- **“Emergency Arbitration”** at Latham & Watkins and AFIA’s webinar, April 2021.
- **“Diversity in International Arbitration”** at CiArb’s Annual Manila Conference, November 2020.

- **"Taking over of arbitration by AI and Robots"** at the YSIAC Conference on Singapore, November 2019.
- **"Saving Time and Costs in International Arbitration"** at the ICC India Arbitration Day, New Delhi, October 2017.

Kartikey also regularly publishes articles in various legal journals and law reviews, including:

- **"Appeal on a point of law under section 69 of the Arbitration Act 1996: is there any reversal of trend?"** (Practical Law Arbitration Blog, September 2020).
- **"Partial award on advance deposits: what happens if there is a jurisdictional challenge?"** (Practical Law Arbitration Blog, August 2019).
- **"Tenability of Retrospective Taxation under Principle of Legitimate Expectations"** (International Arbitration Law Review, 2018).
- **"Implications of Economic Sanctions on International Arbitration"** (Practical Law Arbitration Blog, July 2018).
- **"LCIA's changes to its tribunal secretary process"** (Practical Law Arbitration Blog, November 2017).
- **"Recognition of Summary Procedures under the ICC Rule"** (Kluwer Arbitration Blog, December 2017).
- **"Two Roads Diverged in a Clause - the Law of a Free-Standing Arbitration Agreement vs. the Law of an Arbitration Agreement that sits within a Main Contract"** (Kluwer Arbitration Blog, January 2017).

### **Recognitions and Accomplishments:**

Kartikey has been acknowledged for his expertise by **Who's Who Legal 2020 and 2021** as "future leader of arbitration".