



Kartikey Mahajan

Partner

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Kartikey Mahajan is a Partner in the Dispute Resolution practice group of Khaitan & Co. Kartikey joined the firm in 2022 to set up its Singapore disputes office. He currently splits his time between Singapore and the UAE.

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. He is also registered to appear before the DIFC Courts, ADGM Courts and the Singapore International Commercial Court (as a Registered Foreign Lawyer).

Prior to joining the Firm, Kartikey has worked with Magic Circle and White Shoe American law firms in London and Singapore. His practice focuses on international arbitration (both commercial and investment treaty), commercial litigation, white-collar crime defense, investigation, fraud, enforcement and global asset recovery issues.

He appears as lead advocate in his arbitrations, and as well as a co-counsel to international law firm. Kartikey is frequently called on as an expert on Indian law issues before international tribunals. He has also sat as arbitrator in a variety of matters under different governing laws (both as a sole and a wing arbitrator) with seats in London, Singapore, DIFC, Hong Kong and India.

He has also represented clients in commercial litigation with a cross-border element in various jurisdictions like India, London, New York, DIFC, Singapore, Hong Kong, Cyprus, and Iraq. He also advises on global enforcement matters with a particular emphasis on enforcement before India, English, the DIFC and Singapore courts.

He has acted on several internal and regulatory investigations (DOJ, SEC, MAS, SFO, FINMA, ED, SEBI, SFIO, EOW and CBI). His expertise in such matters extends to advising the client and senior management in all aspects of investigations starting from the internal fact-finding, strategy to engaging with the investigation agency, developing a defence strategy and also representation before the courts should the investigations lead to a trial. These investigations have been in relation to a wide range of alleged misconduct including corruption, money laundering, securities fraud, financial irregularities, accounting fraud, and employee misconduct. Kartikey also advises private equity and other multinational clients on white collar, fraud, AML, ABAC, sanctions,

Practices:

International Arbitration
(Investment Treaty and
Commercial)

White Collar Crime

Corporate Governance

Commercial litigation

Fraud, Enforcement and
Global Asset Recovery

Education:

National Law University
Jodhpur

Harvard Law School

Professional Affiliations:

Solicitor Advocate (with
Higher Rights of Audience)

State of New York

Bar Council of Delhi

Registered under Part II of
DIFC Court's Register of
Practitioners

Registered Foreign Lawyer,
Singapore International
Commercial Court

Recognitions & Accomplishments

Global Elite Thought Leaders - Arbitration list of Who's Who Legal in 2023.

ALB Asia Super 50 Disputes Lawyers 2025

A Top 100 lawyer in Forbes India Legal Powerlist 2022 (above 10 years of work-ex category)

Kartikey has been acknowledged for his Arbitration Expertise in Who's Who Legal Southeast Asia since 2023.

Kartikey has been acknowledged as a Global Elite list of Who's Who Legal as a "Future Leader of arbitration" since 2020.

"Future Star" by Benchmark Litigation for Singapore in 2025

mutual legal assistance treaty (MLAT) and extradition related issues.

Kartikey publishes and speaks regularly on international arbitration, white collar crime, corporate governance, and financial regulation. Kartikey is a co-editor (along with Gaurav Pachnanda SC and Tenant, Fountain Court Chambers) of Thomson Reuters book on "**Principles of Damages, Expert Evidence and Valuation in Commercial Disputes in India**" which was published in December 2023. His experience spans private equity, oil and gas, renewable energy, infrastructure and construction, telecom and media industries.

Representative Matters

In his areas of expertise, Kartikey has advised and represented the following clients:

Commercial Arbitration

- Acted as lead counsel for a **manufacturer of specialty chemicals against a US based entity** in a SIAC arbitration relating to issues concerning the quality of the products. Seat - London. English law applied. This was preceded by a SIMC Mediation and an anti-suit injunction before Singapore courts; and followed by a partial set-aside of the award by the Singapore High Court and enforcement proceedings in Texas and India.
- Acting as lead counsel for a **European HNI in a SIAC arbitration** against an Asia based crypto exchange for damages arising from the violation of the user agreement. Seat - Singapore. Singapore law applied.
- Acting as lead counsel for a **UK based entity** of an Indian conglomerate in a LCIA arbitration relating to breaches of its franchising agreement by its Czech partner. The dispute also involved obtaining temporary injunctions before the Prague courts. Seat - London. English law applied.
- Acted as lead counsel for a **solar energy platform backed by an Asian sovereign wealth fund** in a SIAC arbitration against the Chinese supplier of solar modules for breach of supply agreement and warranty defects. Seat - London. English law applied.
- Acting as lead counsel for an **UAE trading company** in a SIAC arbitration against a Singapore importer for non-compliance of delivery and warranty obligations under the sale of goods contract. Seat - Singapore. Singapore law applied.
- Acted as lead counsel for an **Indian hospitality company** in an ICC arbitration regarding transfer of franchise development rights. Seat - Dallas. Texas law applied.
- Acted as lead counsel for an **Australian venture capital accelerator**

company in a SIAC arbitration against an Indian entity relating to breaches of shareholders and share purchase agreement. Seat – Singapore. Indian law applied.

- Advised as lead counsel a **private equity investor** in a potential SIAC dispute with the founders concerning breaches of the non-compete, non-solicit and brand infringement related issues. Seat – Singapore. Indian law applied.
- Acting as a co-counsel for **GoAir airlines** in a SIAC arbitration against Pratt & Whitney concerning supply of defective engines by the later. Seat – London. English law applied.
- Acting as a co-counsel for a **European pension fund** in a SIAC arbitration in relation to enforcement of its shareholder rights in Indian SPVs and Singapore Holding company where it has almost equal ownership and control rights as its JV partner in the real estate space. Seat – Singapore. Singapore and Indian law applied.
- Acting as lead counsel for a **Tanzanian commodities company** in an LMAA arbitration against an Indian charterer concerning disputes arising out of a charterparty agreement. Seat – London. English law applied.
- Advising multiple entities as a lead counsel on a commodities transaction giving rise to multiple proceedings in various jurisdictions and involving different applicable laws, including a SIAC arbitration, an LMAA arbitration, and litigations before Dubai and Singapore courts. Claims involve fraud, cargo contamination, demurrage issues.
- Acting as lead counsel for an **Indian steel manufacturer** in a SIAC arbitration in relation to damage to goods during carriage by sea in breach of the charterparty agreement. Seat – London. English law applied.
- Representing as lead counsel an **American HNI** in a SIAC arbitration concerning breach of employment contract and shareholders' agreement. Seat – Singapore. Singapore law applied.
- Representing a **Singapore based private equity fund** in a SIAC arbitration and in Emergency Arbitration proceedings in connection with the fund's investment in an Alternative Investment Fund and respondent's breaches of its obligations under the Contribution Agreement. Seat – Singapore. Indian Law applied.
- Acted as lead counsel for a **leading Indian chemical products manufacturer** in a SIAC Arbitration, concerning breach of payment obligations under a contract to supply propylene products. Seat – Bengaluru. Indian law applied.
- Acted as lead counsel for an **oil and gas major** in a Delhi International Arbitration Centre arbitration against its downstream purchaser relating to non-supply of gas because of force majeure related issues. Seat – New Delhi. Indian law applied.
- Acting as lead counsel for an **Indian exporter** in a SIAC arbitration

against a Vietnamese importer for non-payment of goods. Seat – Singapore, Indian law applied.

- Represented **Reliance Industries Limited** against the Government of India in a UNCITRAL arbitration relating to cost recovery of explorations costs. Seat – India. Indian law applied.
- Represented **InterGlobe Enterprises** in an 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.
- Acted for a **developer of renewable energy projects** in an LCIA arbitration relating to the construction of a solar photovoltaic power plant in Mongolia. Seat – London. Mongolian law applied.
- Represented a **U.S. engineering and construction firm** in an ICC arbitration relating to force majeure and delay claims from the construction of an oil processing plant in Iraq. Seat – London. English 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.
- Acting as lead counsel for a **US pharmaceutical company** in an ad-hoc international arbitration against its Indian supplier for losses arising due to supply of defective products. Seat – Singapore. Indian law applied. Representing the US company in proceedings initiated by the Indian supplier before Bombay High Court seeking anti-arbitration injunction.

White Collar Crime and Regulatory Matters

- Advising several **financial sponsors, sovereign wealth funds, pension funds and global MNCs** with respect to issues relating to Indian AML and ABAC laws such as the Prevention of Corruption Act, the Foreign Contributions Regulation Act, the Indian Penal Code as well as the Indian law implications of foreign enactments such as the Foreign Corrupt Practices Act and the UK Bribery Act. He has also advised on pre and post M&A diligence with respect to such AML and ABAC related issues, and also oversees post-acquisition compliance integration and compliance-driven restructuring of business.
- Acted for **Rio Tinto** in respect of internal and governmental investigations into alleged bribery and corruption conducted by the SFO, the U.S. Department of Justice (DOJ), the U.S. Securities & Exchange Commission (SEC), the Australian Securities and Investments Commission and the Australian Federal Police.
- Acted for **RBS Coutts** in a high-profile multijurisdictional (DOJ, Monetary Authority of Singapore and FINMA) investigation in relation

to the bribery and corruption concerning the IMDB Scandal.

- Representing **Kingdon Capital LLC** in relation to investigation and proceedings before the Securities and Exchange Board of India arising out of the Hindenberg Report on Adani.
- Acted for **BuilderAI** – an AI company with operations in UK, USA, India and UAE to uncover serious financial irregularities in the company's operations by conducting internal investigations into fictitious sales revenues, amongst other wrongdoings. Working as a co-counsel with an international law firm to respond to the DOJ subpoena.
- Acting for **several distributor firms** related to Vivo in their defence in an Enforcement Directorate trial relating to alleged Indian foreign exchange and money laundering violations.
- Acting for one of the **largest international banks** in relation to a regulatory investigation by SEBI for breach of the Indian merchant banking regulations regarding issuing a fairness opinion for delisting of a company.
- Acting for a **leading global maritime company** by conducting an internal investigation into whistleblower allegations concerning payment of bribes to Indian public officials for securing business and related violations of US FCPA.
- Representing a **UK-based private equity group** in relation to an investigation into irregularities by its JV partner in India by a private bank, followed by a regulatory investigation by the RBI.
- Advising a **global crypto exchange** on a continuous basis in relation to requests from law enforcement agencies in India and enforcement related issues.
- Advising a **global crypto exchange** on a continuous basis in relation to requests from law enforcement agencies in India and investigations for GST related issues by the Directorate General of GST Intelligence.
- Advising a **large Indian conglomerate** with respect to money laundering and benami investigation by the Enforcement Directorate (ED) and the Central Bureau of Investigation (CBI).
- Advising and working on an internal investigation of employees and distributors of a **global extractives major** for bribery allegations.
- Advised a **global MNC** with respect to investigation relating to outward remittances and tax evasion initiated by the ED and Indian tax authorities.
- Represented a **major international bank** in a regulatory investigation into derivatives trading by the (Indian) Central Bureau of Investigation (CBI).
- Assisted in an **internal investigation** for one of the largest private

equity funds concerning possible violations of the UK Bribery Act.

- Advised a **Dubai-based company** on Indian anti-money laundering, anti-bribery and corruption laws.
- Advised a **US-based satellite company** on risk assessment related to Indian criminal proceedings against the target company. This includes issues stemming from Indian criminal cases involving an Indian-origin promoter-owned business connected to the contentious Antrix-Devas dispute.
- Advised a **private credit fund** on risk assessment for acquiring a company led by executives linked to the landmark 2G Scam, a significant corruption scandal in India from 2008-2010 involving rigged telecom license allocations to certain companies.

Enforcement Actions and Other Cross-Border Litigation

- Acting for a **global natural resources company** on enforcement related issues in relation to an award against an Asian State (in excess of USD 1 billion) before the Indian courts.
- Acting as a co-counsel for **Term Loan Lenders** in relation to enforcement related issues concerning their USD 1.2 billion credit in Byjus, including commencing insolvency proceedings in India and assisting in the New York, Florida and Delaware court proceedings. The matter also involved submitting a declaration of Indian law aspects before the Delaware courts.
- Represented a **UAE based retail consultancy company** against a UAE-based hotel-management company before DIFC Courts in a dispute arising from the breach of services agreement.
- Representing a **leading Italian pharmaceutical and diagnostics group** in intellectual property proceedings before Indian courts against an Indian entity, involving claims of counterfeiting, trademark infringement, passing off, and unfair competition.
- Representing a **Swiss national and their affiliated Swiss entities** in intellectual property and patent proceedings against an Indian entity, covering claims of breach of contract, misrepresentation, and fraud
- Represented a **Slovak entrepreneur and a DIFC Company** against a European entrepreneur before DIFC Courts in a dispute involving claims of breach of fiduciary duties, professional negligence, and corporate governance across multiple jurisdictions.
- Represented 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.
- Acting for a **European pension fund** in relation to enforcement of its shareholder rights in Indian SPVs and Singapore Holding company where it has almost equal ownership and control rights as its JV partner.

- Acting for a couple of **European majors** in the transport space concerning enforcement and sanctions related issues with respect to a Russian judgment before the Indian courts.
- Representing a **Middle Eastern State** in relation to sovereign immunity issues under Indian law and related proceedings before Indian courts.
- Representing a **Middle Eastern State-Owned Entity** in relation to sovereign immunity issues for restructuring its India related operations.
- Represented **Revlon Inc** in a post M&A dispute involving warranty claims against its Italian joint venture partner before the English High Court.
- Represented a **UK headquartered AI tech company** in proceedings relating to the appointment of an arbitrator in a potential arbitration before the Indian Courts.
- Represented a **global logistics company** in two DIFC Court proceedings for breach of the director's duties relating to the DIFC arbitration commenced by the client.
- Acting for an **Indian infrastructure company** with respect to enforcement of an arbitral award against a Rwanda state entity.
- Acting for a **Tanzanian commodities company** in relation to proceedings initiated by a global steel conglomerate before Singapore courts concerning disputes arising out of a charterparty agreement.
- Represented **ArcelorMittal Nippon Steel India Limited** in relation to various enforcement matters before courts of India, UK, onshore Dubai and Cyprus.
- Acting for an **Australian company** in VC space in relation to enforcement of a SIAC award against an Indian entity and its promoter before the Indian courts.
- Acted for a **Mexican commodities conglomerate** in relation to enforcement of a ICDR award against an Indian entity before the Indian courts.
- Acted for an **Indian conglomerate** in recovering amounts due under the arbitral awards by commencing enforcement proceedings in Cayman Islands and Jersey.
- Acted for an **Indian battery manufacturing company** in relation to its dispute with its promoter director. This led to civil as well as criminal proceedings.
- Acting for an alternate **asset management company** in relation to enforcement related aspects of a dispute between Singapore based entities to sanction its working capital needs.

- Acting for a **leading Indian chemical products manufacturer** before the Indian courts in relation to set-aside proceedings and enforcement of a SIAC award.
- Advised an **Asian HNI** on cross-border civil and criminal disputes.

Investment Treaty Arbitration and Public International Law

- Representing **Panthera Resources** in its claim concerning its investment in a gold mine against Republic of India under the India-Australia BIT.
- Advising an **Indian investor** in a potential investment treaty claim against a Middle Eastern State and a related commercial arbitration proceeding against a State-Owned Entity concerning investment in the transport sector.
- Advised **Agility Public Warehousing Company K.S.C.** in an ICSID claim for expropriation of its investment in the Iraqi telecommunications sector.
- Represented a group of **Mexican investors** in their investment treaty claim against Kingdom of Spain in relation to the resolution of a European bank.
- Represented a **European investor in UNCITRAL arbitration** against a South American state in relation to a government-supervised customs inspection and audit programme.
- 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.
- Acting for a **multinational banking group** in a confidential ICSID investment treaty claim against an Eastern European State.
- Represented a **European investor** in UNCITRAL arbitration against a South American state in relation to a government-supervised customs inspection and audit programme.

Publications and Presentations:

Kartikey has authored the following contributions:

- Co-edited a Thomson Reuters book on “**Principles of Damages, Expert Evidence and Valuation in Commercial Disputes in India**”, December 2023.
- GAR Know – How on Investment Treaty Arbitration 2023 – contributed the India chapter.
- “What the SGCA’s Ruling in Republic of India v. Deutsche Telekom means for Confidentiality of Arbitration Proceedings” in Young ITA Newsletter, Volume 4, Issue 4, Fall 2023.

- “Dissecting the Singapore High Court’s Ruling Classifying Cryptocurrency as Debt” in Oxford Business Law Blog, January 2024.
- “Enforcing Unstamped Arbitration Agreements: Invoking Principles of Judicial Noninterference and Separability” in Lexology, December 2023.
- “The Implication Of Tomorrow Sales On The Liability Of Third-Party Funders In India” in Mondaq, July 2023.
- “How bond and debenture trust related India disputes may now be resolved by arbitration?” in the Times of India, March 2023.
- “What The Singapore Court of Appeals Ruling in Westbridge Means for Transactions with Indian Parties?” in Mondaq, January 2023.
- “Recovering Foreign Award Debts in Insolvency Proceedings” in 2022 SCC OnLine Blog Exp 87.
- GAR Know – How on Investment Treaty Arbitration 2022 – contributed the India chapter.
- “Clarity on Enforceability of Foreign Emergency Awards in Singapore – What it means for Indian Parties?” in Mondaq, December 2022.
- “What Russia related economic sanctions mean for international arbitrations involving Indian parties?” in Lexology, August 2022.
- “How To Resolve Business Contract Disputes in India” in Mondaq, July 2022.
- “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.