



## Manavendra Mishra

Partner

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### Practice:

White Collar Crime & Dispute Resolution

### Education:

B.B.A., LL.B. (Hons.), Symbiosis Law School, Pune (2010)

Diploma in Alternate Dispute Resolution and International commercial arbitration, Symbiosis International University

### Professional Affiliations:

Bar Council of Delhi  
Delhi High Court Bar Association

**Member Anti-Corruption Committee** – International Bar Association.

**Member Steering Committee** – Mumbai Centre of International Arbitration, 2019 – 2021, India

**Member Young India Leaders Group** – Society of Construction Laws - 2020.

Member of Indian Arbitration Forum.

Manavendra is a Partner in the Dispute Resolution practice group in the Mumbai office. Manavendra focusses on White Collar Crime, Investigations, Cross-Border Disputes and Arbitrations (Domestic and International). Prior to joining Khaitan, Manavendra has worked in another tier 1 firm and ICICI Bank, Mumbai.

### Relevant Representative Matters:

In his areas of practice, Manavendra has represented and advised in the following representative matters.

- Advising and representing certain parties in the Punjab National Bank fraudulent Letters of Undertaking scam in multiple jurisdictions including but not limited to Hong Kong, Singapore, US, UAE in different proceedings arising therein.
- Advising parties in Chapter XI, RICO proceedings in US, arising out of a banking fraud case in India.
- Representing a BVI Company in Prevention of Money Laundering Act proceedings, being undertaken by the Enforcement Directorate, provisional attachment proceedings before the PMLAT.
- Advising a promoter and his investment company in CAD and MACMA proceedings in Singapore arising out of an Indian MLAT request.
- Advising parties in Commission for Control of INTERPOL's Files (CCF) proceedings and domestic proceedings on processing of INTERPOL requests.
- Advised an Oman based Bank on enforcement proceedings against defaulters in India including subsequent advisory and representation pursuant to the Dubai - India Reciprocity Agreement.
- Advising an US headquartered global trading company in disputes arising out of Merchanting Trade Transactions in India and Singapore including in the investigations being carried out by the Central Bureau Of Investigation. Economic Offence Wing and Serious Fraud Investigation Office.
- Advising a Dubai based UK headquartered EPC company in enforcement proceedings wherein an employee



siphoned of money from the company's account and left for India before proceedings could be initiated in Dubai.

- Advising certain parties in the Enforcement Directorate proceedings initiated against IL&FS entities, arising out of banking fraud in cross border transactions.
- Advising a Singapore Entity and NRI promoter in the Serious Fraud Investigation Office proceedings and investigation in the IL&FS Investigation proceedings.
- Advising a Mauritius based company on potential siphoning off proceedings involved in ILFS proceedings.
- Advising a Singapore company on Enforcement Directorate proceedings in relation to IL&FS and assisting them in the enforcement of their claim proceedings.
- Advised and represented an Indian Bank in Enforcement Directorate proceedings, arising out of potential FEMA violations.
- Advised and represented an Indian Bank before Economic Offence Wing and subsequent court trial arising out of transactions, wherein the Borrower claimed conspiracy against lenders.
- Advised an US headquartered company's Indian subsidiary in internal investigations regarding alleged data theft and loss of UIDAI data in India.
- Advised and represented BMW Financial Services and their directors in criminal proceedings initiated against them in India on cases of fraud, cheating and forgery.
- Advised and conducted internal investigation of a pharmaceutical company on cutback payments being made to a senior management employee and his subsequent removal.
- Advising and representing a leading international beverage manufacturer in prosecuting and enforcing their claims against employees and a service provider who siphoned off substantial amounts by creating fake companies and forged invoices.
- Advised US Embassy on issues of sovereign immunity, domestic laws of India and property disputes in Mumbai.
- Joint Venture partner of McDonald's Corporation in North and East India in arbitration proceeding before the London Council of International Arbitration ("**LCIA**") in London and on disputes arising from the joint venture agreement with McDonald's including in the FCPA issues therein.
- Advised an UK based seal making company in data theft, conspiracy and criminal proceedings in Pune and Hyderabad, in India arising out of stealing of designs and factory data, including employee related issues.
- Advising a Mexican entity in proceedings initiated in India on alleged data theft, non-solicitation by their employee.



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- Advised Dykema UK in criminal proceedings initiated against its directors in Ahmedabad, Gujrat including impounding of passport by the police.
- Advising Livepools India Pvt. Ltd, an online gaming company in data theft and criminal matters against their service provider.
- Advising and representing an Indian company in Bombay High Court in suit proceedings for damages, pursuant to alleged data and confidentiality breaches by the promoter.
- Advising and representing Spareage Sealing Solutions in criminal proceedings arising out of alleged theft of customs data re seals. The case involved planting of stolen data in the system of the Company and involved multiple investigation angles.
- Advised and represented Borosil Glassworks Limited in data theft, forgery, cheating cases by a person who portrayed himself as their authorised distributor in Punjab, India.
- Advised and represented Essar Oil Shipping Corporation in criminal prosecution initiated by tax authorities in Mumbai.

### **Publications and Presentations:**

Manavendra has authored the following articles:

- **"Indian Arbitration and Conciliation Act, 2019: Latest Developments"** published in Asian International Arbitration Centre (AIAC) Newsletter - April 2020
- **"COVID-19 and Force Majeure - A practical guide to the novel approach for safeguarding your interests"** published in Mondaq on 13 April 2020
- **"Supreme Court extends limitation periods in light of the COVID-19 Pandemic"** published in Mondaq on 1 April 2020
- **"Seat/venue/place saga continues: Supreme Court reverses view and declares earlier judgments bad law"** published in International Law Office on 2 January 2020
- **"The next chapter in the Seat / Venue / Place Saga: SC Reverts to view taken in Roger Shashoua and BALCO, Declares Antrix and Hardy Exploration Bad Law"** published in Mondaq on 17 December 2019
- **"The Arbitration And Conciliation (Amendment) Act, 2019 - Entering a new domain"** published in Mondaq on 23 October 2019
- **"Plastic ban on 36 major railway stations"** published in Mondaq on 1 March 2019
- **"Odisha Plastic Ban Order 2018"** published in Mondaq on 9 November 2018



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- **"IRDA clarifies implementation of Compulsory Personal Accident (CPA) Insurance for owner drivers"** published in Mondaq on 1 November 2018
- **"Venue / Seat / Place – Finality or More Complexity? – Supreme Court Of India Decides"** published in Mondaq on 11 October 2018
- **"Feasibility of the Plastic Ban in Maharashtra"** published in Mondaq on 28 March 2018
- **"SC Declares 2015 Amendment Act to be prospective; Carves out an exception for Section 36"** published in Mondaq on 20 March 2018

Manavendra also actively publishes in arbitration in PLC, Thomson Reuters, Mondaq and has been invited as a speaker by ICC, MCIA, CARDS and other arbitration institutions. Relevant representative matters on his other practice areas can be shared on request.

Manavendra was invited to speak at the following conferences:

- **International Bar Association**, Seoul (September 2019) on the Global Enforcement Update panel of the Anti-Corruption Committee
- **ICC YAF Biannual Conference**, Goa (India) December 2018 on Anti arbitration Injunctions
- **The Centre for Advanced Research in Dispute Settlement (CARDS)**, Vizag (India) September 2019, 2018.
- Was also invited to speak on the panel on asset recovery and attachment in IBA Transnational Crimes Conference in Madrid in April 2020.

In addition to the above, Manavendra also advises and appears as counsels in various domestic and international arbitration proceedings. He has successfully represented clients in Metro construction, Derivative disputes, Underground drainage (World Bank Projects), Production Sharing Contracts in Oil and Gas sector, along with oil exploration, rig hire disputes.