



**KHAITAN
& CO**
Advocates since 1911



Arva Merchant

Partner

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Practices:

Dispute Resolution
International Commercial
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 has advised several infrastructure and construction industry clients, heavy duty equipment manufacturers, real estate clients, apartment owners' associations, shipping and trading companies, leather industry clients, public and charitable trusts and NBFC players on several complex questions of law involving contracts, specific performance, partnerships, companies, family law and arbitration. 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 Tribunal, Real Estate Regulatory Authority, Micro and Small Enterprises Facilitation Council and Consumer Courts.

Significant Experience:

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

Commercial Dispute Resolution

- **Essar Group** in a commercial arbitration where disputes arose with the contractor regarding delay in supply of drawings, construction and additional works on sanitary pump pits;
- **American private client** in an international commercial dispute with other share holders in the corporate structure.
- **Batliboi & Co. Ltd.** in a domestic commercial arbitration on issues of arbitrability of certain disputes, limitation of claims, extra works and delay in payment;
- **Emerald Luxury Cars LLP, Ahmedabad** in a commercial arbitration regarding recovery of dues;
- **Balika Air Service** on negotiations with the **Sri Lankan Aviation Ministry** for ground handling services agency;
- **Air Cargo Agents' Association of India** (during the strict lockdown in 2020) on the extension of credit period accorded to it by airlines through the International Air



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Transport Association;

- **Bhoruka Classic Finance Pvt. Ltd.** before the High court of Madras and the arbitral tribunals in matters of recovery of debt;
- **Alpha Industries Sdn Bhd (9196-P), Malaysia**, in a cross border commercial dispute adjudicated in India;
- A **heavy equipment manufacturer** in commercial arbitrations for recovery of price of goods supplied and other claims; and
- Several **shipping companies** on cross border international trade law issues.

Civil Dispute Resolution / Constitutional Matters

- A **prominent charitable and religious trust** before the Supreme Court and High Court of Madras and advise it on real estate matters and policy level decisions;
- Various **real estate holders** in SARFAESI matters;
- **Emaar Avenues Apartment Owners' Association** for disputes with the developer and another apartment owners' association;
- **Casa Grande Masseys Flat Owners' Association** on disputes with the local authorities and the developer;
- **Vijay Shanti Builders Ltd.** before the High Court of Madras and lower courts in matters concerning recovery of possession of immovable properties, agreements of sale and commercial leases;
- **Balika Air Service** before the High Court of Madras, Madurai Bench, in a public interest litigation challenging several policies of the Central Government; and
- **Pan Resorts Ltd.** before the High Court of Madras on specific performance of an agreement of sale for property belonging to a royal family.