



Chakrapani Misra

Partner

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Practices:

Disputes Resolution
Mediation
Intellectual Property Disputes
Commercial Disputes
Admiralty Disputes

Education:

Solicitor, Mumbai (1996)
LL.M., University of Mumbai
(1994)
B.A., LL.B., Government Law
College (1992)

Professional Affiliations:

Bar Council of Maharashtra & Goa
Bombay Incorporated Law
Society
London Maritime Arbitrators
Association (LMAA)
Indian Council of Arbitration
(ICA)
International Centre for
Alternative Disputes Resolution
(ICADR)
Empanelled Member of the Main
Mediation Centre, High Court,
Bombay
Empanelled Mediator of the
Centre for Mediation &
Conciliation (CMC) of
The Bombay Chamber of
Commerce and Industry
Certified Mediator

Sectors:

Maritime and Shipping
Intellectual Property

Chakrapani Misra is a Partner in the Disputes Resolution Practice Group of the Firm based in Mumbai. With over two and a half decades of experience in the field, he specialises in commercial disputes resolution. Chambers & Partners, Asialaw & Legal 500 have regularly ranked him for his expertise as a leading lawyer in the field of disputes resolution.

Chakrapani also regularly acts for and advises clients in domestic and international arbitrations including maritime arbitration. He also acts as arbitrator in complex disputes.

He is a certified Mediator and regularly presides as Mediator over various corporate commercial disputes. The range of matters handled by him is vast and varies from general commercial litigation to the matters relating to IPR (Trademark, Copyright, Patent, Industrial Designs, Trade Secrets and technical know-how, Computer Software, Data Protection) and admiralty litigation. Besides the above, he routinely advises the Firm's clients on commercial litigations - summary suits, commercial causes suits, company petitions and complex, succession and probate matters.

Chakrapani also regularly contributes to various international and domestic publications on arbitration and other current legal issues of importance. He also regularly participates as judge / arbitrator in the international moots organized by various institution / colleges.

Representative Matters:

In his areas of expertise, Chakrapani has represented and advised amongst others, the following clients:

Private Equity and Venture Capital:

- **Aditya Birla Finance Limited** on various proceedings for recovery of debts due from several SPVs and subsidiary of ILFS and ILFS Transporter Networks Limited;
- **Al Jazeera Steel Products Company SAOG** on disputes arising out of an agreement with Shreeyam Power (an Indian entity) for supply of goods before an Arbitral



Tribunal comprises of the Hon'ble Mr Justice S N Variava (Retired Judge of the Supreme Court of India);

- **A Law Firm in Singapore** on the Indian law for presentation before the High Court of Republic of Singapore on certain aspects of Indian Succession Act / valid execution of a Will made in India;
- **Dongbu Insurance Co Ltd** in an Admiralty Suit in the Bombay High Court against M V Ocean Dominance ("Ship") for urgent arrest of the Ship at Nhava Sheva Port in order to safeguard and recover its monies from the owners of the ship;
- **Essar Oilfield Services Limited** and its entities with regard to various disputes;
- **Graphite India Limited** and its entities with regard to various disputes;
- **Inox Leisure Limited** on arbitration proceeding against Goa State Infrastructure Development Corporation, a State of Goa organization & in arbitration against various entities including Goa State, Infrastructure, Corporation and others;
- **Infrastructure Leasing and Financing Services Ltd** on its ongoing litigations for recovery of dues;
- **A law firm in London**, provided expert evidence on Indian Law for presenting before the English High Court in Parental Order proceedings initiated by the said law firm for their clients;
- **Multiplex Association of India** in the Bombay High Court, in a PIL petition filed against the client, inter alia, seeking direction from the State that the multiplexes/cinema hall owners in the State should not to prohibit cinema goers from carrying their own food articles and water inside the theatre & Regularly advises client with regard to various disputes;
- **Nando's**, the world-famous fast food chain on its direct disputes with its franchisee. Also acted and advised in its disputes with an Indian party;
- **Hardcastle Restaurants Limited**, regularly advises client who is the franchisee of the mcdonalds in western india;
- **Patel Engineering Limited**.regularly advises client on its ongoing litigations for recovery of dues;
- **Polaris Industries** on its disputes with its contractor and sub-contractor;
- **Sandoz Private Limited**, regularly advises client on its various disputes with other entities as well as render advice on regulatory compliances;
- **Siemens Limited**, on proceedings filed by Gammon India Limited (Petitioner) before the Bombay High Court, seeking reinstatement of a Bank Guarantee, given by the Petitioner to Siemens in relation to a construction contract. An Appeal filed by Gammon before the Division Bench of the Bombay High Court was also successfully defended and the appeal was dismissed & regularly advices client and its entities with regard to litigation and arbitration;



- **Sesa Goa Limited** on in relation to maritime arbitration with Peter Doehle Schiffahrts KG, Germany;
- **Saregama India Limited, in** Court to ensure timely release of the big-ticket bollywood movie. An application was made to restrain release of the movie due to the use of a 71 seconds clipping of an old movie's hit song, by the producer of the said film featuring the song, on the ground that the rights to the song belonged to him and should not be used in the said movie without his permission;
- **Spinnaker Global Emerging Markets Fund Limited and other Spinnaker Group entities,** assisted them in defending multiple proceedings instituted against them as well as instituting proceedings on behalf of clients (PE Funds) for recovery of monies;
- **Zimmer AG,** proceedings initiated in Bombay High Court against certain Indian companies and Chinese Government organizations regarding infringement and passing off of certain copyrighted designs of the client;
- **A well-known industrial house in India,** a branch of a very well-known industrial family in India before the Bombay High Court in disputes arising on the issues of distribution of family properties;
- **A well-known Industrialist Family in India,** in a very complex testamentary matter involving the family of the owners of one of the large logistic company in India; and
- **A High Networth Individual,** who was the Executor under the last Will and Testament of the deceased, wife of the director of one of the large industrial groups.

Publications and Presentations:

Chakrapani regularly contributes to publication such as International Law Offices (ILO), Mondaq, Lexology and others on current topics on Arbitration and other issues related to disputes resolution in India. Some of the articles authored/co-authored by him are:-

- He has written and published articles in numerous journals across the world on legal disputes and judgments pronounced by the Supreme Court of India as well as various courts in India. Some of his publications include:
- **"Enforcement of 'minority award': law or flaw?"** published by ILO on March 2018;
- **"Sale Of Company As A Going Concern – Second Chance At Preserving The Legal Existence Of The Company"** published by Lexology on 17-23 April 2018;
- **"No More Fleecing – IBBI Puts Insolvency Costs To Strict Scrutiny"** published by Mondaq on 6-10 July 2018;
- **"Supreme Court Lays Down Guidelines To Determine The Interest Payable On Arbitral Awards In International**



Commercial Arbitrations" published by Mondaq on 31 October – 1 November 2018;

- **"A Borrower Can Now Challenge Symbolic Possession Under The Sarfaesi Act"**, published by Lexology on 16 November 2018;
- **"Unsigned arbitration agreement does not bar arbitration"** published by ILO on 29 November 2018;
- **"Bihar Plastic Ban Notification 2018"** published by Lexology on 21 December 2018;
- **"Supreme Court Rules On The Arbitrability Of Consumer Disputes"** published by Lexology on 2-4 January 2019;
- **"The NCLAT Rules That The Adjudicating Authority Has No Jurisdiction To Decide The Legality And Propriety Of A Foreign Decree"** published by Mondaq on 9-14 January 2019;
- **"SC: Former Employee Is Not Disqualified From Being Appointed As An Arbitrator"** published by Lexology on 21-24 January 2019;
- **"Plastic ban on 36 major railway stations"** published by Mondaq on 1 March 2019;
- **"Arbitrability of consumer disputes: loophole in Booz Allen framework?"** published by Lexology on 14 March 2019;
- **"Compounding Of Non-Compoundable Offences By High Courts Under Section 482 Of CRPC- Supreme Court Re-Affirms Position"** published by Mondaq on 15-26 March 2019;
- **"Payment Against An Agreement To Sell Is A Duly Enforceable Debt Under The Negotiable Instruments Act"** published by Mondaq on 5-12 April 2019;
- Chakrapani is a regular speaker on the seminars organised by various institutions.

Recognitions and Accomplishments:

- Chakrapani has been mentioned as a ranked lawyer in Chambers & Partners 2019 rankings;
- Chambers Asia Pacific has recommended Chakrapani as a leading lawyer for his expertise in disputes resolution practice Legal 500;
- He has been a part of some of the biggest litigations in the country. Legal 500 has recommended Chakrapani as a leading lawyer for his expertise in disputes resolution practice;



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Advocates since 1911

- Asialaw has recommended Chakrapani as a leading lawyer for his expertise in disputes resolution practice; and
- 2014 Edition of Asia Laws leading lawyers' publication mentioned Chakrapani as one of the most highly acclaimed legal expert in the Asia Pacific Regions.
- He also regularly participates as Judge/ Arbitrator in the international moots organised by various institutions/ colleges.