



Manavendra Mishra

Partner

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Manavendra is a partner in White Collar Crime, Investigations & Dispute Resolution practice group in the Mumbai office.

Practice/s:

White Collar Crimes, Investigation, Shareholder Disputes & Arbitration

Education:

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

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

Recognitions:

Who's Who Legal (WWL) 2023 – Investigations Global Guide

Who's Who Legal (WWL) Global Leaders 2022 – Business Crime Defence (Corporates & Individuals)

Benchmark Litigation Asia-Pacific 2023 – Future Star

The Legal 500 Rankings (2023) – Next Generation Partner (White Collar Crimes), Recommended Lawyer 2022, 2021

Chambers & Partners Asia Pacific, 2022 & 2023

Indian Business Law Journal – Future Legal Leader, 2021

Professional Affiliation/s:

Bar Council of Delhi

International Bar Association (IBA) – Business Crimes Committee LPD Officer, 2023-25

International Bar Association (IBA) – Anti Corruption Committee, Asia Pacific Representative – 2021-22 (Officer)

Steering Committee Member YMCIA, Mumbai Centre of International Arbitration, 2019 – 2023

Manavendra specializes in White Collar defence, Investigations, defence strategies and cross border disputes. He also appears regularly as counsel in different prosecution hearings. He has conducted multiple internal, statutory, whistleblowing investigations including India leg of FCPA, UK Anti Bribery, World Bank related investigations. He has been advising clients, in cases pertaining to Prevention of Money Laundering Act, Prevention of Corruption Act, FEMA, Indian Penal Code, US Department of Justice (DOJ), prosecutions by regulators in India. He advises on crypto and other asset tracing and cross border enforcement actions. He has advised on matters pertaining to multiple jurisdictions, notably, USA, UK, Singapore, Hong Kong, UAE, Switzerland, Germany and France.

Representative Matters

In his areas of practice, Manavendra has represented and advised various prominent clients which include:

Investigations

- Advised and conducted a cross border investigation in a **standard certification company** against allegations for breach of confidentiality, data privacy, data leak and misuse of the company's confidential information. The investigation revealed systemic violations of non-poaching clauses by senior employees and necessary action was taken against them and the competitor company;
- Advised a world-leading **lighting solution company** and investigated allegations by whistle-blowers against the company's Indian subsidiary for allegations pertaining to private bribery, gratification, forgery, fabrication, falsification of documents, fake products;
- Advised a **real estate company** for prosecution and termination of employees after conducting thorough and confidential investigations into alleged violations of company policies, including but not limited

to fraud, misconduct, forgery and ethical breaches. Advised on business continuity, compliance strengthening and other measures including a detailed Fraud Risk Assessment;

- Conducted thorough and confidential investigations for an **IT company** into allegations of duplicate billing, fake purchase orders, double servicing of orders. Advised on ring fencing the promoter and conducted a fund flow analysis to clawback significant cash revenue;
- Conducted an internal investigation on a **listed company's** radio business on basis of complaints received against senior management and other employees with regards to financial procedures and invoicing mechanisms. Advised on reporting mechanisms, accounts recasting and agreeing to the final report with the statutory auditor to submit to regulator;
- Advised a **pharma company** on an investigation with respect to bribery claims, environmental audit, claims of undue benefit being rendered to an entity post merger;
- Post-merger investigation done on behalf of the **investor company** into wrongful scrapping, procurement fraud and cutback to various employees. Necessary prosecution brought on behalf of the company against the employees;
- Investigation into bid rigging allegations, changing tender conditions and specifications by commission agents of an infrastructure company;
- Conducted investigation basis vigilance department show cause notice issued to client for over profiteering, wrongful disclosures to discoms and other related aspects;
- Advising and conducted internal investigation on 6 different offices of a **French MNC's** Indian subsidiary basis a whistle-blowers complaint alleging fake vouchers, kickbacks, and non-payment of contractor's claims;
- Investigation into an **MNC insurance company** into allegation of profiteering administrative staff during shifting of offices by more than 800 employees;
- Advised a **medical equipment manufacturer** on its Indian leg of an investigation under FCPA arising out of a whistle-blower complaint;
- Advised the **Board of Directors of an Indian company** in an investigation sought by JV partner into allegations of wrongful conduct and potential private gratification by employees;
- A **global fund** on a preliminary internal investigation in relation to certain money laundering allegations raised by Enforcement Directorate;

- Advised and represented a **forensic data collecting company** into allegations of collusion and wrongdoing before the Bombay High Court during the conduct of an internal investigation; and
- A listed **paint manufacturing entity** on an internal investigation of in allegations of internal fraud by employees in procurement and data privacy issues.

Dispute Resolution Matters

- **Joint Venture partner of McDonald's Corporation in North and East India** in an 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;
- A **US headquartered company's Indian subsidiary** on internal investigations regarding alleged data theft and loss of UIDAI data in India;
- An **Indo- US Joint Venture infrastructure company** on international investigations pertaining to component procurement and supply in India and UAE;
- **Certain parties** on 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;
- **Parties** on Chapter XI, RICO proceedings in US, arising out of a banking fraud case in India;
- A **BVI Company** on Prevention of Money Laundering Act proceedings, being undertaken by the Enforcement Directorate, provisional attachment proceedings before the PMLAT;
- A **BVI Company** on Commercial Affairs Department (CAD) and Mutual Assistance in Criminal Matters Act 2002 (MACMA) proceedings in Singapore arising out of an Indian MLAT request;
- **Parties** on Commission for Control of INTERPOL'S Files (CCF) proceedings and domestic proceedings on processing of INTERPOL requests;
- An **Oman based Bank** on enforcement proceedings against defaulters in India including subsequent advisory and representation pursuant to the Dubai - India Reciprocity Agreement;
- A **Dubai based UK headquartered EPC company** on enforcement proceedings wherein an employee siphoned of money from the company's account and left for India before proceedings could be initiated in Dubai;

- **Certain parties** on the Enforcement Directorate proceedings initiated against IL&FS entities, arising out of banking fraud in cross border transactions;
- A **Singapore Entity** and **NRI promoter** on the Serious Fraud Investigation Office proceedings and investigation in the IL&FS Investigation proceedings;
- A **Mauritius** based company on potential siphoning off proceedings involved in ILFS proceedings;
- A **Singapore company** on Enforcement Directorate proceedings in relation to IL&FS and assisting them in the enforcement of their claim proceedings;
- An **Indian Bank** on Enforcement Directorate proceedings, arising out of potential FEMA violations;
- An **Indian Bank** before Economic Offence Wing and subsequent court trial arising out of transactions, wherein the Borrower claimed conspiracy against lenders;
- **BMW Financial Services and their directors** on criminal proceedings initiated against them in India on cases of fraud, cheating and forgery;
- A **leading international beverage manufacturer** on prosecuting and enforcing their claims against employees and a service provider who siphoned off substantial amounts by creating fake companies and forged invoices;
- **AESSEAL**, an UK based seal making company on 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;
- A **Mexican entity** on proceedings initiated in India on alleged data theft, non-solicitation by their employee;
- **Dykema UK** on criminal proceedings initiated against its directors in Ahmedabad, Gujrat including impounding of passport by the police;
- **Livepools India Pvt. Ltd** an online gaming company on data theft and criminal matters against their service provider;
- An **Indian company** on Bombay High Court in suit proceedings for damages, pursuant to alleged data and confidentiality breaches by the promoter;
- **Spareage Sealing Solutions** on 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;

- **Borosil Glassworks Limited** on data theft, forgery, cheating cases by a person who portrayed himself as their authorised distributor in Punjab, India;
- **Essar Oil Shipping Corporation** on criminal prosecution initiated by tax authorities in Mumbai; and
- A **major Indian promoter group** on benami transactions investigation by Income Tax department against their promoter entities.

Presentations:

Manavendra is a regular speaker at conferences and seminars:

- **IBA:** Panel discussion on National Security: treason and espionage in Boston (May 2023);
- **International Fraud Group (IFG):** Panel discussion on International Fraud & Asset Recovery Conference in Singapore (November 2022);
- **IBA:** Speaker in the webinar on “Third-party due diligence and compliance-related contract clauses” – Webinar (November 2022);
- **IBA:** Panel discussion on “Ill-gotten gains and asset recovery” in Transnational Crimes Conference in Madrid (November 2021);
- **IBA:** Panel discussion on “Negotiated justice - settlements in bribery enforcement actions across Asia” – Webinar (November 2021); and
- **IBA:** Panel discussion on “Anti-Corruption Committee on the Global Enforcement Update” at the Annual Conference in Seoul (September 2019).

Publications:

Manavendra has authored the following contributions:

- Co-authored chapter titled “General Notes for Practitioners” published in book titled Arbitration in India by Wolters Kluwer (January 2021);
- Authored chapter titled “Multi-party arbitrations: Consolidation of Arbitrations and Composite References” published in book titled Commercial Arbitration – International Trends and Practices by Thomson Reuters, Legal (2021 Edition);
- Co-authored article titled “Indian Arbitration Amendment Act, 2019: Latest Developments” published in Asian International Arbitration Centre (AIAC) newsletter (April 2020); and
- Several articles and publications on Arbitration in PLC, Thomson Reuters, Mondaq including speaking opportunities at the ICC, MCIA, CARDS and other arbitration institutions.