



Radhika Gupta

Counsel

MUMBAI

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Practice/s

Dispute Resolution

Education

B.S.L. LL.B., ILS Law College,
Pune (2015)

Professional Affiliation/s

Bar Council of Maharashtra
& Goa
Bombay Bar Association

Radhika is a Counsel in the Dispute Resolution practice group at the firm's Mumbai office, with over a decade of experience in domestic and cross-border civil and commercial disputes. She advises and represents a diverse client base — including foreign portfolio investors, multinational companies, leading Indian conglomerates, banks and financial institutions — across complex international arbitrations, high-value commercial litigation before the Supreme Court of India, High Courts, and specialised tribunals, and litigation risk advisory in the context of M&A transactions and business transfers.

Alongside her broader disputes practice, Radhika has developed a strong focus on insurance disputes and advisory. She has acted for multinational insurers, leading private insurers, Lloyd's of London brokers, banks, infrastructure companies, and large Indian corporates across the full spectrum of insurance matters.

REPRESENTATIVE MATTERS

In her area of practice, Radhika has advised and represented, amongst others, the following clients:

Commercial arbitrations and litigations:

- Representing a Foreign Portfolio Investor (headquartered in USA) in an ongoing Singapore seated international arbitration administered by SIAC and connected court proceedings in Singapore: The arbitration was initiated by the client, as an investor in a SEBI-regulated Alternative Investment Fund ('AIF'), against the investment manager and sponsor of the AIF for breach of contractual undertakings and obligations relating to management of the AIF and distribution of its assets. Currently, also advising the client, alongside Singapore counsel, in respect of various appeals before the Singapore International Commercial Court ('SICC') arising from a jurisdictional decision issued by the arbitral tribunal. The appeals involve multiple complex questions of Indian and Singapore law;
- Representing the Group entities of a leading Indian conglomerate in a Singapore seated international arbitration administered by SIAC: Defending claims brought by a Mauritius-based fund against the clients under a shareholders' agreement executed in respect of a public infrastructure project SPV. The dispute involves complex questions of Indian law including on FEMA pricing guidelines;

- Representing a **pioneer global medical technology group** in the proceedings initiated by the client before the Supreme Court of India against an Austrian distributor in connection with claims made by the counterparty before the courts in Netherlands. Also advising the client in respect of the proceedings currently ongoing in Netherlands;
- Represented an **Indian real estate developer in an India-seated international commercial arbitration** initiated by a foreign investor in respect of disputes arising under a shareholders' agreement, which was amicably settled;
- Advised a **Malaysian subsidiary of one of the largest power companies in South-East Asia on the emergency injunctive reliefs** successfully obtained from a SIAC appointed emergency arbitrator against the arbitration proceedings initiated in India by the counterparty. Also represented the client in interim court proceedings in India and obtained interim reliefs in aid of the arbitration proceedings in Singapore;
- A **leading stock exchange** in various proceedings before the Bombay High Court, City Civil Court, Mumbai and Special Court constituted for trial of offences pertaining to securities; and
- Several banks and financial institutions including a leading foreign bank on the proceedings before various fora including Supreme Court, Bombay High Court, Debts Recovery Tribunal and National Company Law Tribunal for recovery of debts, enforcement of security interest and corporate insolvency resolution proceedings.

Insurance disputes and advisory:

- Advised **Compagnie Française d'Assurance pour le Commerce Extérieur** in respect of proceedings initiated on behalf of beneficiaries of Credit Insurance Policies in Indian courts including National Company Law Tribunal against defaulting parties for recovery of sums due to the beneficiaries;
- Advised a **leading private life insurance company** in respect of a penalty order issued by the Insurance Regulatory and Development Authority of India in relation to transfer of its equity shares pursuant to an arrangement entered into by its shareholders;
- Advised and represented a **leading Lloyds of London Broker** in respect of reinsurance claims of its clients against a government owned insurance company;
- Advised and represented a **large Indian multiplex chain** in arbitration proceedings and proceedings before Bombay High Court against a government owned insurance company with respect to claims made under a business interruption policy for loss of revenue on closure of client's units across several states in India due to various prohibitory orders passed by local governments to prevent the spread of COVID-19;

- Advised a **leading infrastructure company** in respect of its claim under an Offshore Construction Project Policy in relation to an accident which occurred during installation works of certain offshore well head platforms;
- Advised a **leading conglomerate** on tenability of insurance claims proposed to be made under a Comprehensive Mega Risk Insurance Policy availed for various group companies;
- Advised a **leading global power transmission and infrastructure company** in relation to Erection All Risk insurance policies and re-insurance policies obtained for certain power transmission and infrastructure projects across multiple jurisdictions;
- Advised **Indian subsidiary of a Japan based information technology services** provider in respect of rejection of insurance claims made under a Directors and Officers Liability Insurance Policy;
- Advised a leading bank in respect of potential insurance claims under a Directors and Officers Liability Insurance Policy;
- Advised a **manufacturer of Autonomous Mobile Robots** and other automated storage and handling solutions in respect of its claims under a Professional Indemnity Insurance Policy;
- Advised a **leading global manufacturer of furniture and fittings** in respect of its insurance claim under a fire and burglary insurance policy; and
- Advised a real estate and hospitality group in respect of several claims under loss of profit insurance policies on account of losses suffered due to COVID-19 related restrictions.

Dispute-related advisory

- Advised **Ultratech Cement Limited** on litigation related due-diligence aspects on its acquisition of Kesoram Industries' cement business;
- Advised **Axis Bank** on litigation aspects in respect of its acquisition of Citi bank's consumer business in India;
- A **leading infrastructure company** on merits of its high-value claims and arbitrations against various government corporations, national agencies and state governments in connection with multiple public infrastructure projects across the country;
- Advising **global medical technology group** in respect of disputes with former employee on ESOP allotment, breach of confidentiality and non-compete obligations;
- Advised an NBFC in respect of its claims and disputes with National Credit Guarantee Trustee Company Ltd under a Credit Guarantee Scheme issues by the Government of India;

- Advised a **Spanish Multinational Corporation** on potential product liability claims in respect of current transformers supplied by the group;
- Advised a **German technology group** in relation to claims that the electronic components supplied to a major power transmission company were defective;
- Advised a **multinational energy company** on potential litigation risks/ claims arising in connection with sponsorship of sports events in India and issues of sovereign immunity; and
- Advised several clients including a leading bank, NBFC, and a technology company in respect of disputes and claims relating to warranties and representations provided during business transfers and acquisitions.

PUBLICATIONS AND PRESENTATIONS

Radhika has authored the following contributions:

- Co-authored "**Good Faith and Fair Dealing in International Law of Sale of Goods**" published in International Contracts: Jurisdictional Issues and Global Commercial and Investment Governance (A collection of essays on recent trends), by Gujarat National Law University (2015), also cited by UNCITRAL Law Library in Bibliography of recent writings relating to work of UNCITRAL (November, 2015);
- Authored "**The Friendly Dispute Resolution: Enforcement of Multi-Tiered Dispute Resolution Clauses**" published in Journal of Alternate Dispute Resolution, Issue-1, (January 2016) by Centre for ADR, Institute of Law, Nirma University;
- Co-authored "**Supreme Court Strikes Down Clause Mandating Payment of Deposit as Pre-Condition to Invoking Arbitration**" published on Mondaq and Lexology, (April 2019);
- Co-authored "**Plea of adverse possession- A shield as well as a sword, clarifies Supreme Court**" published on Mondaq and Lexology, (September 2019);
- Co-authored "**Supreme Court reinforces timelines under RDB Act**", published on Mondaq and Lexology (February 2020);
- Co-authored "**Supreme Court holds that a decree or a Recovery Certificate constitute a fresh cause of action for IBC proceedings**", published on Mondaq and Lexology (August 2021); and
- Co-authored "**Compliance of Section 12A of the Commercial Courts Act When Both Parties Refuse to Participate in the Pre-Institution Mediation**", published on Lexology (January 2023).