



Ravitej Chilumuri

Partner

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Practice:

Dispute Resolution

Education:

B.A., LL.B. (Hons.), West Bengal
National University of Juridical
Sciences, Kolkata (2011)

Professional Affiliations:

Bar Council of West Bengal
Young MCIA Group of the
Mumbai Centre for International
Arbitration

Ravitej is a Partner in the Dispute Resolution practice group in the Mumbai office.

Ravitej has worked on various contentious matters and regularly advises and represents clients in civil and commercial disputes, with a focus on arbitration, Insolvency and Bankruptcy Code, debt recovery, shareholder disputes and pre-litigation strategy. He has also authored papers and attended various conferences on arbitration, insolvency and debt recovery.

Representative Matters

In his area of practice, Ravitej has advised and represented the following clients:

Commercial Litigation and arbitration

- **West Bengal Power Development Corporation Limited**, against a Chinese owned manufacturer of power generator, before the International Court of Arbitration on disputes arising out of a contract for supply of equipment;
- **Patel Engineering Limited** on in an arbitration against a JV partner in connection with a residential project in Mumbai, and (ii) an arbitration arising out of a contract for construction of a residential project in Bengaluru;
- **Essar Offshore Services Limited** before the Bombay High Court (i) in the defending proceedings seeking Enforcement of Arbitral Award passed in a London Seated ICC Arbitration, and (ii) in the Application filed under Section 9 of the Arbitration & Conciliation Act 1996 arising out of the foreign award wherein certain interim reliefs, inter alia the attachment of the oil rig located within Indian waters, was sought against the client;
- **National Petroleum Construction Company**, a UAE Public Joint Stock Company, in defending setting aside of arbitral award proceedings filed by Afcons;

- **Promoters of an Indian Fintech company** against the investors in a pending arbitration governed by Singapore International Arbitration Centre Rules, seated in Singapore;
- **Patel Engineering Limited** in an arbitration before the 3-member arbitral tribunal against a Government of India PSU, in connection with a hydro electric project in Mizoram;
- **Patel Engineering Limited** in an arbitration before the single arbitrator against Government of Arunachal Pradesh, in relation to construction of a power project in Arunachal Pradesh;
- A **listed construction company** against a state government in relation to disputes arising out of the construction of a hydro electric power project;
- A **listed construction company** against a Government of India entity in relation to disputes arising out of the construction of a hydro electric power project, in three separate arbitral references;
- **Nabadiganta Industrial Township Authority** on contractual disputes with a leading advertising company;
- **Hooghly River Bridge Commissioners** on disputes arising out of a contract for construction of super speciality hospitals in West Bengal;
- A **leading infrastructure company** on disputes before the Micro, Small and Medium Enterprises Facilitation Council, Chhattisgarh;
- **West Bengal Transport Infrastructure Development Corporation** on disputes pertaining to the construction of a certain site in Kolkata;
- A **leading mine infrastructure company** on disputes arising out of contracts for mine development and supply of equipment;
- **Engineers India Limited** on disputes with Haldia Petrochemicals Limited for a project in West Bengal;
- **Bunge Agribusiness Singapore Pte. Ltd.** on enforcement of a foreign arbitral award passed by the Federation of Oil, Seeds and Fats Association Ltd., London, United Kingdom;
- **Kolkata Metropolitan Development Authority** on disputes with a leading real estate company;
- A **leading steel castings manufacturing company** on disputes arising out of deallocation of a coal block; and
- A **leading ayurvedic medicine company** on disputes with its clearing and forwarding agent.

Debt Recovery and Insolvency

- **Aditya Birla Finance Limited** and other large creditors in respect of defaults committed by IL&FS and its group entities in parallel

proceedings before the Delhi High Court, National Company Law Tribunal and National Company Law Appellate Tribunal. The IL&FS defaults matter is one of India's largest ever group default matters, which involves several complex parallel proceedings under Company laws, contractual defaults and criminal law;

- **Aditya Birla Finance Limited** in (i) proceedings for recovery of debts due from special purpose vehicles (SPVs) and subsidiaries of IL&FS and IL&FS Transportation Networks Limited (ITNL) and advised the client on overall dispute strategies, and (ii) on winding-up proceedings against its creditors;
- **Aditya Birla Finance Limited** in its disputes with Siti Networks Limited and Zee Entertainment Enterprises Limited pending before the Delhi High Court, in connection with certain loan defaults;
- **Investec Bank PLC, Aditya Birla Finance Limited and Piramal Finance**, being senior secured lenders of IL&FS Solar Power Limited, in proceedings before the National Company Law Appellate Tribunal in respect of the IL&FS group resolution matter;
- **Assa Abloy**, the UK arm of a global lock and security solutions company in relation to disputes with its Indian distributor. The client was able to successfully ward off potential claims from its Indian distributor basis our advice;
- **JM Financial Asset Reconstruction Company Private Limited** in successfully (i) challenging an order passed by Securities and Exchange Board of India (SEBI) in the Securities Appellate Tribunal holding that JMFARC was in technical breach of the SEBI Takeover Regulations in relation to the conversion of a part of its debt into equity in its capacity as Trustee on behalf of a Trust having banks/financial institutions as its beneficiaries, and (i) defending JMFARC in a connected appeal filed by ITC Ltd which inter alia, alleged that a proposed asset sale by Hotel Leela ventures Ltd. (Hotel Leela) was a related party transaction, and that JMFARC ought to be restrained from voting on such transaction by virtue of it being a related party;
- **India Infoline Finance Limited** on applications under the Insolvency and Bankruptcy Code, 2016 filed against a real estate group for the debts due to the client. Further, represented the client in multi-party negotiations involving creditors and stake holders to reach a comprehensive settlement;
- **Foster + Partners**, a British architectural design and engineering firm, in connection with unpaid debts arising out of design consultancy services;
- A **leading NBFC** in its disputes with its borrowers and developers in relation to funding of real estate projects in Pune;
- **IIFL Wealth Limited** in proceedings before the NCLT in initiating corporate insolvency resolution process against a Radius Group entity in connection with real estate project in Mumbai.

- A leading Spanish renewable energy company, in advising client on potential debt recovery strategies against their Indian customers;
- A British Channel Island Trust, in connection with debts due from an India listed company undergoing corporate insolvency resolution process;
- National Petroleum Construction Company, a UAE Public Joint Stock Company, in connection with unpaid debts arising out of a services contract;
- Hindusthan Chemicals Company in proceedings to recover outstanding sums from a listed company;
- The Luxmi Group on an application alleging fraudulent transfer under the Companies Act 1956;
- West Bengal Power Development Corporation Limited on (i) disputes arising out of allocation of various coal blocks in West Bengal, (ii) writ petitions challenging conditions of tender for selection of coal washeries, and (iii) before the Special Secretary Coal, Government of India on disputes arising out of invocation of bank guarantees;
- West Bengal Housing Infrastructure Development Corporation on various writ petitions challenging cancelation of allotments of plots made by the previous state government;
- West Bengal Medical Services Corporation Limited on writ petitions challenging conditions of tender for setting up of multi-speciality hospitals in West Bengal;
- JMS Mining Services Private Limited on disputes arising out of invocation of bank guarantees;
- A leading real estate services company in its disputes arising out of theft of its intellectual property; and
- A leading debenture trustee, in a Commercial Suit before the Bombay High Court and Supreme Court in proceedings for recovery of debts due under Non-Convertible Debentures.

Shareholder Disputes

- JM Financial Asset Reconstruction Company Private Limited, as a 26% shareholder, in oppression and mismanagement proceedings filed by ITC Ltd. which inter alia, alleged that a proposed asset sale by Hotel Leela ventures Ltd. (Hotel Leela) was an act of oppression;
- A leading chemical manufacturer and its promoters in relation to a 'deadlock' situation and related disputes with other shareholders;
- A leading ayurvedic drug manufacturer and its promoters in oppression and mismanagement proceedings and other litigations with other shareholders; and

- A leading **non-banking financial corporation** and its promoters in its disputes with its minority shareholders.

Publications and Presentations:

Ravitej has authored the following contributions:

Arbitration

- "Invocation of Arbitration Clauses in Shareholder Agreements in Disputes under Articles of Association", published by the NUJS Law Review, Volume 13 Issue 4 (2020);
- "Admissibility of Illegally Obtained Evidence Through the Lens of Confidentiality in International Arbitral Proceedings", published by the Indian Arbitration Law Review, Volume 4 (March 2022);
- "Part One Of A Three-Part Series On International Commercial Arbitration In India: The 2019 Amendment And The Applicability Of Sections 9 / 27 / 37 Of The 1996 Act To Foreign-Seated Arbitrations", published by Mondaq (June 2019);
- "Part Two Of A Three-Part Series On Recent Developments In International Commercial Arbitration In India: Further Ambiguity On The Concepts Of 'Seat', 'Venue' And 'Place' Of Arbitration", published by Mondaq (June 2019);
- "Part Three Of A Three-Part Series On Recent Developments In International Commercial Arbitration In India: Progress In The Enforcement Of Foreign Awards And Potential Grey Areas", published by Mondaq (July 2019);
- "Supreme Court holds government cannot seek preference while seeking stay on enforcement", published by ILO (September 2019);
- "Unsigned arbitration agreement does not bar arbitration", published by ILO (November 2018);
- "Bombay High Court upholds minimal judicial intervention in appointment of arbitrator", published by ILO (August 2018);
- "Enforcement of 'minority award': law or flaw?", published by ILO (March 2018); and
- "An Unsigned Arbitration Agreement Is Not a Bar To Arbitration", published by Mondaq (November 2018).

Insolvency and Debt Recovery

- "NCLT Kolkata Holds IBC Threshold Increase To Be Prospective", published by Mondaq (June 2019);

- "NCLAT Decides on The Requirement Of Seeking Government Approval For Making An Insolvency Application Against A Tea Company", published by Mondaq (August 2019);
- "Payment Against an Agreement To Sell Is A Duly Enforceable Debt Under The Negotiable Instruments Act", published by Mondaq (April 2019);
- "No More Fleecing – IBBI Puts Insolvency Costs to Strict Scrutiny", published by Mondaq (July 2018);
- "Sale Of Company As A Going Concern – Second Chance At Preserving The Legal Existence Of The Company", published by Mondaq (April 2018);
- "NCLAT Settles The Issue Of The Applicability Of The Limitation Act To Insolvency Applications Under The Insolvency And Bankruptcy Code", published by Mondaq (January 2018); and
- "NCLAT Holds Section 34 Proceedings Is Record Of Operational Debt", published by Mondaq (January 2018).

Other

- "Delay in Filing Appeal Against An Order Of The Recovery Officer Cannot Be Condoned", published by Mondaq (November 2017).