

A symposium presented by the IBA Asia Pacific Regional Forum and supported by the IBA Litigation Committee and the IBA Mediation Committee



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# India Litigation Symposium: taking reforms to the last mile



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8 February 2020  
Le Méridien New Delhi, New Delhi, India

Working programme  
and list of participants

### Programme Co-Chairs

Neerav Merchant *Majmudar & Partners, Mumbai; Membership and Communications Officer, IBA Litigation Committee*  
Kaustubh Sinha *Adhrit Legal, Delhi*

### Organising Committee

Akil Hirani *Majmudar & Partners, Mumbai*  
Rajat Jariwal *Khaitan & Co, New Delhi*  
Amir Singh Pasrich *I.L.A. Pasrich & Co, New Delhi; Council Member, IBA Legal Practice Division*  
Ramesh Vaidyanathan *Advaya Legal, Mumbai; Secretary, IBA Asia Pacific Regional Forum*

## Saturday 8 February

**All sessions will take place in Le Belvedere (20F)**  
**Lunch will take place in Le Belvedere (20F)**  
**All coffee/tea breaks will take place in Henri's (20F)**  
**Drinks reception will take place in Henri's (20F)**

0900 – 1600

### Registration

*Le Belvedere foyer (20F)*

0930 – 0945

### Welcome remarks

Peter Bartlett *MinterEllison, Melbourne; Vice-Chair, IBA Legal Practice Division*

0945 – 1015

### Keynote address

Justice Siddharth Mridul *High Court of Delhi, Delhi*

1015 – 1145

### What works best for resolving disputes in India? Litigation or arbitration? Has there been a mind shift?

- Resolving disputes in India – an uphill task
- Key issues and challenges vis-a-vis cross-border contracts
- The Commercial Courts Act, 2015 – has it worked? What has changed?
- The use of technology and artificial intelligence in courts and in arbitration
- Alternative dispute resolution – what is the Indian way?
- Solutions (or learnings) to keep up the pace with global jurisdictions

#### Co-Moderators

Manjula Chawla *Phoenix Legal, New Delhi*

Neerav Merchant *Majmudar & Partners, Mumbai; Membership and Communications Officer, IBA Litigation Committee*

#### Panellists

Hiroo Advani *Advani & Co, Mumbai*

Ben Bruton *Winston & Strawn London, London*

Sanjeev Gemawat *Executive Director, Legal & Group Company Secretary, Dalmia Bharat Group, New Delhi*

Sanjeev Kapoor *Khaitan & Co, New Delhi*

Manoj K Singh *Singh & Associates, New Delhi*

### MOBILE TELEPHONES

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Conference reception sponsor

# Saturday continued

1145 – 1215

## Coffee/tea break

*Henri's (20F)*

1215 – 1345

## Insolvency and Bankruptcy Code, 2016 ('IBC' / 'Code') – an international juxtaposition regarding the Corporate Insolvency Resolution Process ('CIRP')

- Who can initiate the CIRP? Financial creditors, operational creditors or the corporate debtor?
- Aggressive timelines – a double edged sword
- Who has control over corporate debtor during the CIRP – the committee of creditors, corporate debtor or the Insolvency Resolution Professional (IRP)?
- Moratorium – a breathing room or a domino effect?
- Drag the guarantors – corporates and promoters
- Cross-border insolvency or group insolvency – foreign proceedings and assets
- Resolution over liquidation – haircuts no bar
- Achievements of the IBC / the Code and the way forward

### Co-Moderators

**Geetu Singh** *PricewaterhouseCoopers – Forensic & Dispute Advisory Services, Gurgaon*

**Jyoti Singh** *Advocate, Bombay High Court, Mumbai*

### Panellists

**R K Bansal** *MD & CEO, Edelweiss Asset Reconstruction Company, Mumbai*

**Jayesh H** *Juris Corp, Mumbai*

**Meenakshi Iyer** *Advaya Legal, Mumbai*

**Ashok Kumar** *BlackOak, Singapore*

**Bahram Vakil** *AZB & Partners, Mumbai*

1345 – 1445

## Lunch

*Henri's (20F)*

1445 – 1615

## Case management – the heart of court management in the new millennium

- Developing and implementing a case management plan: an ideal framework to reduce backlog?
- Experience in establishing case management systems; the need for structural reforms
- How a judge needs to think innovatively to maximise output in one's own court: Case management with limited resources
- Different case management rules for different types of cases; the scope for stakeholders other than legal professionals

### Co-Moderators

**Amir Singh Pasrich** *I.L.A. Pasrich & Co, New Delhi; Council Member, IBA Legal Practice Division*

**Mamta Tiwari** *Advocate & Counsel, Delhi High Court, Delhi*

### Panellists

**Sunil Abraham** *Cecil Abraham & Partners, Kuala Lumpur; Council Member, IBA Legal Practice Division*

**Akshay Bhan** *Senior Advocate, Punjab & Haryana High Court, Chandigarh*

**Zarir Bharucha** *ZBA, Mumbai*

**Lydia Danon** *Cooke Young & Keidan, London*

**Sajan Poovayya** *Senior Advocate, Supreme Court of India, New Delhi*

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### Conference luncheon sponsors



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# Saturday continued

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1615 – 1630

**Coffee/tea break**

*Henri's (20F)*

1630 – 1745

**The art (and process) of mediation (in India) – an introduction! Its advantages & downsides and has it worked so far? The next steps**

- he advent of mediation (in India)? How it is lacking momentum
- Legislative advantages and disadvantages (in India) – a comparison
- How effective is confidentiality in mediation?
- Success of mediation in India – gaining inspiration from global (mediation) hubs
- Discussing the impact of the Singapore Mediation Convention (August 2019) on South Asia (including India)

*Moderator*

**A. S. Chandhiok** *Senior Advocate, Delhi High Court, Delhi*

*Panellists*

**Bindi Dave** *Wadia & Ghandy, Mumbai*

**Rajiv Dutta** *Senior Advocate, Supreme Court of India, Delhi*

**Shreyas Jayasimha** *Advocate, Arbitrator and Mediator, Bangalore*

**Sadhna Ramchandran** *Advocate, Delhi High court, New Delhi*

**Radhika Shapoorjee** *Founder & CEO, Mediation Mantras, New Delhi*

1745 – 1800

**Closing remarks**

1800 – 1900

**Drinks reception**

*Henri's (20F)*

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# India Litigation Symposium 2020: taking reforms to the last mile

**8 February 2020**  
**Le Meridien New Delhi**

## List of Participants

Name	Law Firm / Organisation	City	Country
<b>Australia</b>			
Mr Peter Bartlett <i>(Speaker)</i> <i>(LPD Vice Chair)</i>	MinterEllison	Melbourne	Australia
<b>England</b>			
Mr Arish Bharucha	Cooke, Young & Keidan	London	England
Mr Ben Bruton <i>(Panellist)</i>	Winston & Strawn London	London	England
Ms Lydia Danon <i>(Panellist)</i>	Cooke Young & Keidan	London	England
Mr Simon Kamstra	Addleshaw Goddard	London	England
Mrs Priyanka Kapoor	PCB Litigation	London	England
Mr Anthony John Riem	PCB Litigation	London	England
Mr Joseph Tirado	Garrigues	London	England
Mr Richard John Charles Wise	Addleshaw Goddard	London	England
<b>Hong Kong SAR</b>			
Mr Vasu Muthyala	Kobre & Kim	Central	Hong Kong SAR
<b>India</b>			
Mr Anshuman		New Delhi	India
Mr Hiroo Advani <i>(Panellist)</i>	Advani & Co	Mumbai	India
Mr Anish Agarwal	A3T Legal	Delhi	India

Name	Law Firm / Organisation	City	Country
Mr Praveen Agarwal	Agarwal Jetley & Co Advocates	Delhi	India
Ms Rishika Agarwal	Adhrit Legal	Noida	India
Ms Neha Aggarwal	Mintz Group	Mumbai	India
Mr Vassu Arora	Dhir & Dhir Associates	Delhi	India
Ms Rithikha Ashokapathy		Chennai	India
Mr Bipin Aspatwar	Cyril Amarchand Mangaldas	Delhi	India
Mr Alipak Banerjee	Nishith Desai Associates	Delhi	India
Mr Raj Kumar Bansal (Panellist)	Edelweiss Asset Reconstruction Company Limited	Mumbai	India
Mr Akshay Bhan (Panellist)	Punjab & Haryana High Court	Chandigarh	India
Mr Ajay Bhargava	Khaitan & Co	New Delhi	India
Mr Zarir Bharucha (Panellist)	ZBA	Mumbai	India
Mrs Nadisha Bhatia		Gurgaon	India
Mr Juvraj Singh Bindra	Cyril Amarchand Mangaldas	Delhi	India
Mr Gurbrinder Singh Chahal		Gurdaspur	India
Mr A S Chandhiok (Moderator)	Senior Advocate	New Delhi	India
Mr Aseem Chaturvedi	Khaitan & Co	Delhi	India
Mr Saurabh Chaturvedi	SB Energy	Delhi	India
Ms Damini Chawla		Delhi	India
Ms Manjula Chawla (Co-Moderator)	Phoenix Legal	New Delhi	India
Mr Ravitej Chilumuri	Khaitan & Co	Mumbai	India
Mr Suresh Dalal		Jhajjar	India
Mr Ravilochan Daliparthi		Delhi	India
Mr Bindi Dave (Panellist)	Wadia & Ghandy	Mumbai	India
Mr Himanshu Deora	ZeusIP Advocates	Delhi	India
Mr Bhrigu Dhami	B&B Associates	New Delhi	India

Name	Law Firm / Organisation	City	Country
Mr Rajiv Dutta <i>(Panellist)</i>	Senior Advocate, Supreme Court of India	New Delhi	India
Mr Ashokapathy Gajapathy	Pass Associates	Chennai	India
Mr Aman Raj Gandhi	Wadia Ghandy & Co (Delhi)	Delhi	India
Mr Sanjeev Gemawat <i>(Panellist)</i>	Dalmia Bharat Group	New Delhi	India
Ms Nainshree Goyal		Ghaziabad	India
Mr Pranaya Goyal	Wadia Ghandy & Co (Delhi)	Delhi	India
Mr Gaurav Gulati	Finacial Consulting	Agra	India
Mr Amit Gupta	Chambers of Amit Gupta	New Delhi	India
Mrs Garima Gupta	Garima Gupta Associates	Delhi	India
Mr Umang Gupta		Jaipur	India
Mr Jayesh H <i>(Panellist)</i>	Juris Corp	Mumbai	India
Mr Nusrat Hassan	Link Legal India Law Services	Maharashtra State	India
Mr Nirmal Preet Singh Hira	HPSHF Legal Attorneys & International Legal Consultants	Amritsar	India
Ms Meenakshi Iyer <i>(Panellist)</i>	Advaya Legal	Mumbai	India
Ms Sneha Jaisingh	Bharucha & Partners	Mumbai	India
Mr Aditya Vikram Jalan	AZB & Partners	Noida	India
Mr Rajat Jariwal	Khaitan & Co	New Delhi	India
Mr Shreyas Jayasimha <i>(Panellist)</i>	Aarna Law	Bangalore	India
Mr Rahul Kamerkar	Advocate	Mumbai	India
Mr Sanjeev Kapoor <i>(Panellist)</i>	Khaitan & Co	New Delhi	India
Ms Sheeba Khan	AKS Law asscoaites	Bangalore	India
Mr Kps Kohli	Dhir & Dhir Associates	Delhi	India
Ms Anupama Kumar		New Delhi	India
Mr Vaibhav Kumar	Self Employed Professional	Ranchi	India
Mr Vikas Kumar	Corporate Legal Partners Law Firm	Delhi	India
Mr Atul Luthra	PricewaterhouseCoopers Private Limited	Gurgaon	India

Name	Law Firm / Organisation	City	Country
Mr Siji Malayil	Siji Malayil Associates Advocates & Solicitors	Bangalore	India
Mr Montek Mayal	FTI Consulting India Pvt Ltd	Delhi	India
Mrs Surbhi Mehta	Adhrit Legal	Noida	India
Mr Neerav Merchant <i>(Programme Co-Chair, Co-Moderator (Membership &amp; Communications Officer, Litigation Committee)</i>	Majmudar & Partners	Mumbai	India
Hon Justice Siddharth Mridul <i>(Keynote Speaker)</i>	High Court of Delhi	Delhi	India
Ms Gunita Pahwa	Singh & Associates, Founder - Manoj K. Singh, Advocates & Solicitors	New Delhi	India
Mr Manish Paliwal	Corporate Legal Partners	Delhi	India
Mr Amir Singh Pasrich <i>(Co-Moderator (LPD Council Member)</i>	ILA Pasrich & Company	New Delhi	India
Miss Umang Pathak	Cyril Amarchand Mangaldas	Delhi	India
Mr Sajjan Poovayya <i>(Panellist)</i>	Sajjan Poovayya Senior Advocate	New Delhi	India
Ms Vatsala Rai	AZB & Partners	Noida	India
Mr Sadhna Ramchandran <i>(Panellist)</i>	Delhi High court	New Delhi	India
Mr Ashish Razdan	Khaitan & Co	Mumbai	India
Mr Advocate Shubham Sachdeva	Advocate Shubham Sachdeva	Jalandhar	India
Mr Karan Sachdeva	Pricewaterhouse Coopers Pvt Ltd	Gurgaon	India
Mr Hozefa Shabbir Saifee	Saifee Burhani Upliftment Trust	Mumbai	India
Mr Ajay Pratap Singh Sehgal	Law Offices of Ajay Pratap Singh Sehgal	Chandigarh	India
Ms Pramita Sen	WeYou Partners	Delhi	India
Mr Mehernosh Shapoorjee	Mediation Mantras	Gurgaon	India
Mrs Radhika Shapoorjee <i>(Panellist)</i>	Mediation Mantras	Gurgaon	India
Ms Anushka Sharda	Khaitan & Co	Delhi	India
Mr Kunal Sharma	KSA Legal	Delhi	India
Ms Natasha Sharma	Adhrit Legal	Noida	India
Mr Neeraj Sharma	NSA Chambers	New Delhi	India



Name	Law Firm / Organisation	City	Country
Mr Rahul Narayan Shetty		Bangalore	India
Mr Ripudaman Singh Sidhu		Chandigarh	India
Ms Geetu Singh (Co-Moderator)	PricewaterhouseCoopers Private Limited	Gurgaon	India
Ms Jyoti Singh (Co-Moderator)	Bombay High Court	Mumbai	India
Mr Manoj Kumar Singh (Panellist)	Singh & Associates Founder - Manoj K Singh Advocates and Solicitors	New Delhi	India
Mr Parminderjeet Khurana Singh	Legal Eye	Chandigarh	India
Mr Suraj Singh		New Delhi	India
Mr Kaustubh Sinha (Programme Co-Chair)	Adhrit Legal Advocates and Corporate Law Consultants	Noida	India
Mr Rohitaashv Sinha	Agarwal Jetley & Co	Delhi	India
Mrs Savita Sinha		Gurgaon	India
Mr Murtaza Somjee	Jerome Merchant + Partners	Mumbai	India
Mr Mamta Tiwari (Co-Moderator)	Delhi High Court	Delhi	India
Mr Ramesh Vaidyanathan (Secretary, Asia Pacific Regional Forum)	Advaya Legal	Mumbai	India
Mr Bahram Vakil (Panellist)	AZB & Partners	Mumbai	India
Mr Kush Wadhwa	PwC	Gurgaon	India
Mr Salman Waris	TechLegis Advocates & Solicitors	New Delhi	India
<b>Malaysia</b>			
Dato' Sunil Abraham (Panellist) (LPD Council Member)	Cecil Abraham & Partners	Kuala Lumpur	Malaysia
Dr Muhammad Belal Hossain	Orchid Asia Infotech Sdn Bhd	Selangor	Malaysia
Mr Gobinath Karuppan	Sanjay Mohan	Kuala Lumpur	Malaysia
<b>Singapore</b>			
Mr Ashok Kumar Balakrishnan (Panellist)	BlackOak	Singapore	Singapore
<b>Spain</b>			
Mr Francisco Manuel Serrano Osobliwa Francismo Manuel Serrano	J&A Garrigues SLP	Madrid	Spain

Name	Law Firm / Organisation	City	Country
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Mr Adarsh Hathi

Hathi & Associates

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