



Shardul Amarchand Mangaldas



Ameya Gokhale

Partner

Dispute Resolution

Ameya Gokhale is a Partner at the Firm and specialises in Litigation, Arbitration, Dispute Resolution, and Insolvency & Bankruptcy.

Ameya has regularly advised various clients on complex legal issues concerning Corporate and Commercial matters, Constitutional matters/ Writ Petitions, White collar criminal litigations, Banking & Finance, Debt Recovery, Shareholder Disputes.

Ameya advises the firm's clients on advisory matters as well as legal strategy. He is also instructed by many of the firm's clients to appear as a lead Counsel in a number of matters before the Supreme Court of India, Bombay High Court, District Courts and National Company Law Tribunal.

Ameya holds a graduate degree in law from the National Law School of India University, Bangalore and a post graduate degree in law from The George Washington University Law School, Washington D.C where he was a Thomas Buerghenthal Scholar. Ameya has earlier been an independent practitioner and appeared as lead Counsel for his clients before various forums. He was also associated with another Tier-1, Indian firm prior to joining SAM & Co. in 2015.

Select Experience Statement

General Corporate/ Commercial Litigation

- Represented **Nestle India Ltd.** before the Bombay High Court in a Writ Petition filed to challenge the ban imposed on Maggi Noodles imposed by the FSSAI. In a landmark decision, the Bombay High Court allowed Nestle India Limited to commence production of Maggi Noodles subject to certain tests [See *Nestle India Limited v. The Food Safety and Standards Authority of India & Ors.*, 2016 (3) ALL MR 497].
- Represented **IDFC Bank Ltd.** before the Bombay High Court in a winding up petition filed by the Bank against large public listed company in relation to loans exceeding INR 200 Crores [See *IDFC Bank Limited v. Ruchi Soya Industries Limited*, [2017] 201 Comp Cas 114 (Bom.)]; Writ Petition arising out of a matter concerning wilful defaulter circular issued by the RBI [See *Ruchi Soya Industries Limited & Anr. v. IDFC Bank Limited & Ors.*, Writ Petition No. 575 of 2017].
- Advised **Coca Cola (India) Private Limited** in relation to Writ Petitions filed by the Plastic Industry Associations challenging the ban on manufacture and use of certain plastic items in the State of Maharashtra.

Location

- Mumbai

Education

- George Washington University Law School, Washington D.C (Thomas Buerghenthal Scholar) LL.M
- National Law School of India University, Bangalore, B.A. LL. B (Hons.)

Practices

- Dispute Resolution
- Insolvency & Bankruptcy

Professional Membership

- Bar Council of Maharashtra & Goa
- Bombay Bar Association

Awards & Recognitions

- **Litigation star** for Government and regulatory by Benchmark Litigation Asia Pacific 2023
- Recognised in ALB India as **Top Disputes Lawyers** 2021





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- Represented **State Bank of India** before the Bombay High Court in a suit for defamation and damages for an amount of INR 1500 Crores filed against a large national daily newspaper.
- Represented **Credit Suisse Trust Limited** in proceedings filed in the Bombay High Court under Admiralty Jurisdiction for enforcement of a judgement of an Australian Court.
- Advised and Represented **Johnson & Johnson India Limited** in various matters concerning land revenue, advertising standards, disparaging advertisement, defamation and consumer protection.
- Advised and Represented **Capital First Limited** before the National Company Law Tribunal, Mumbai Bench in its scheme of merger with IDFC Bank Limited.
- Represented **Facebook India Pvt. Ltd.**, and WhatsApp Inc. in a series of Writ Petitions and defamation suits filed in the Bombay High Court and various civil courts in Mumbai.
- Represented **Eicher Motors Ltd.** before the Securities Appellate Tribunal in a challenge to a SEBI order requiring Eicher to issue fresh shares to a person claiming that his shares were fraudulently transferred to an impersonator.
- Representing **Anand Rathi Commodities Limited** before the Supreme Court of India, Bombay High Court and SEBI in matters arising from Show Cause Notices issued by SEBI under various provisions of the SEBI (Intermediaries) Regulations and SEBI (Stock Brokers and Sub-brokers) Regulations.
- Representing four top Motor Insurance Brokers before the Securities Appellate Tribunal in some of the first appeals filed before SAT under the IRDA Act.
- Represented **Ricoh Company Ltd.** in a proceeding for oppression and mismanagement before the National Company Law Tribunal, Mumbai Bench involving a refinancing of its India subsidiary to the tune of INR 11,000 Crore.
- Represented **National Investment and Infrastructure Fund** in a Writ Petition filed by Adani Group before the Bombay High Court, and in a Commercial Suit filed by Bid Services before the Delhi High Court related to disputes arising from the Shareholders' agreement inter se between shareholders of the Mumbai International Airport Limited, namely GVK group, Bid Services, ACSA.
- Successfully represented and appeared for **Hyundai Corporation** before the Bombay High Court in proceedings under the Arbitration and Conciliation Act, 1996 seeking an injunction on payment under Irrevocable Letters of Credit issued in favour of Hyundai Corporation and declaration of the contract to be unenforceable or void or voidable inter alia by virtue of frustration due to lockdown imposed on account of outbreak of pandemic Covid-19; the Bombay High Court rejected the grant of any ad-interim reliefs as sought by the petitioners.

Insolvency Litigation

- Representing **Piramal Capital Finance Ltd.** before the Supreme Court of India in a matter concerning an issue of law arising from Institution of Corporate Insolvency Resolution against two Co-guarantors.

Awards & Recognitions

- Recognised among **Top 40 Under 40 lawyers** by BW legal World.
- **Client Recommendation** for Litigation by RSG India, 2019





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- Represented **State Bank of India** before Gujarat High Court in the Writ Petition filed by Essar Steel India Limited challenging the RBI Press Release of June 2016 by which the RBI directed bankers to initiate insolvency proceedings against certain companies including Essar Steel India Limited. [See *Essar Steel India Limited v. Reserve Bank of India & Ors.*, 2017 SCC ONLINE GUJ 995.]
- Represented **State Bank of India** before the National Company Law Appellate Tribunal and National Company Law Tribunal, Ahmedabad in the matter concerning corporate insolvency resolution Application filed against Essar Steel India Limited.
- Representing the **Insolvency Resolution Professional of Reliance Communications Limited** (of the firm *Deloitte Touche Tohmatsu Limited*) before the National Company Law Tribunal, Mumbai Bench.
- Representing the **Insolvency Resolution Professional of Aircel Limited** (of the firm *Deloitte Touche Tohmatsu Limited*) before the National Company Law Tribunal, Mumbai Bench, National Company Law Appellate Tribunal and the Supreme Court.
- Representing the **Insolvency Resolution Professional of Lavasa Corporation Limited** (of the firm *Deloitte Touche Tohmatsu Limited*) before the National Company Law Tribunal, Mumbai Bench.
- Representing the **Insolvency Resolution Professional of Videocon Industries Limited** (of the firm *Deloitte Touche Tohmatsu Limited*) before the National Company Law Tribunal, Mumbai Bench.
- Representing the **Insolvency Resolution Professional of Innoventive Industries Limited** (of the firm *PricewaterhouseCoopers Private Limited*) before the National Company Law Tribunal, Mumbai Bench. [See *ICICI Bank Limited. v. Innoventive Industries Limited*, [2018] 143 CLA 97.]
- Representing the **Insolvency Resolution Professional of Lanco Infratech Limited** (of the firm *Deloitte Touche Tohmatsu Limited*) before the National Company Law Tribunal, Hyderabad Bench.
- Successfully advised a **SEBI registered FPI** for the recovery of its dues in relation to a priority financing facility advanced to one of the largest conglomerates in India; strategizing and advising in respect of the proceedings before the National Company Law Tribunal and the Bombay High Court whereby the FPI recovered its entire principal and interest dues under the facility.

Criminal/ White Collar Litigation

- Representing two prominent Associations of Stock Brokers before the Bombay High Court in proceeding relating to the NSEL scam and prosecution under the provisions of the Maharashtra Protection of Interest of Depositors (MPID) Act.
- Advising **Fitch Ratings/ India Ratings** with regard to potential criminal proceedings arising out of the IL&FS scam.
- Advising **Anand Rathi Commodities Limited** with regard to potential criminal proceedings arising out of alleged violations of SEBI (Stock Brokers and Sub-brokers) Regulations.



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- Advising **Docplexus Online Services Pvt. Ltd.** in criminal proceedings filed against its former employees for data theft and criminal breach of trust.
- Advising **BNP Paribas** in relation to filing of potential criminal proceedings against its former employee for data theft, leakage of confidential information and criminal breach of trust.
- Advising **GKB Hi Tech Lenses Pvt. Ltd.**, and its promoters in defending criminal proceedings filed by a global optical lens company in relation to allegations of cheating and fraud a joint venture company.

Arbitration

- Representing **GKB Hi Tech Lenses Pvt. Ltd.**, one of India's largest optical lens manufacturers and its promoters in an arbitration with a global optical lens company in relation to disputes arising out of payment of option premium and right to call/ put shares in a joint venture company.
- Representing one of India's largest Solar Plant owners in a construction arbitration against joint venture partner involving issues of payment of damages.
- Representing **IndusInd Bank Ltd.** in an arbitration against Reliance Capital Limited concerning the pledge of shares of Reliance Nippon Life Asset Management Limited.
- Represented one of India's leading logistics company in an arbitration with a private equity investor which included issues of enforcement of put option, valuation of the put shares and violation of RBI notifications.

