

Dr Rishab Gupta

CALL: 2007 (INDIA); 2008 (NEW YORK); 2021 (ENGLAND & WALES)

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Overview

Rishab is a specialist in international arbitration, commercial litigation and public international law. He is qualified to practice in the UK, India and US.

Before joining Twenty Essex, he was a partner at Shardul Amarchand Mangaldas where he led the firm's arbitration practice in Mumbai. Prior to that, Rishab spent several years at Allen & Overy in London and Debevoise & Plimpton in New York.

Rishab regularly represents clients in commercial and investor-state arbitrations brought under the auspices of a variety of institutional rules. His experience includes arbitrations seated in India, Singapore, Hong Kong, London, Paris, the Hague, Stockholm, New York, Washington D.C. and elsewhere, conducted under the ICC, UNCITRAL, SIAC, HKIAC, SCC, LCIA and ICSID Rules. The subject matter of these arbitrations have included long-term energy concessions, investment treaties, joint venture agreements, construction contracts, and intellectual property, among others and they have involved common law, civil law and Islamic law systems.

Rishab has also sat as arbitrator in a variety of matters, as sole and party appointed arbitrator.

In addition to arbitrations, Rishab also regularly appears before state courts in disputes relating to arbitration, including enforcement and execution of awards, appointment of arbitrators jurisdiction of the tribunal and interim relief applications.

Publications

A list is available on request.

Arbitration committees

Rishab has served on the arbitration committees of most of the major arbitration institutions, including:

- The young practitioners committees of the SIAC, LCIA and HKIAC.
- Co-Chair of the young practitioners' committee of the Mumbai Centre for International Arbitration.
- SIAC reserve panel of arbitrators.

Lectures / talks

A list is available on request.

Education

- University of Oxford, Balliol College: DPhil (PhD) (Rhodes Scholar)
- Columbia University School of Law: J.D. (Harlan Fiske Stone Scholar and HSBC Scholar)
- London School of Economics: LL.B (First Class)
- Stephens College, Delhi: B.A. in Mathematics (First Class)

Example cases

- *Shokat Mohammed Dalal v United Arab Emirates*, ICSID Case No. ARB/19/10: Lead counsel representing the claimant in an ICSID arbitration brought under the UK-UAE BIT against the government of the UAE in relation to certain investments made by the claimant in the UAE real estate sector.
- *Korea Western Power Company Limited v India* (PCA Case No. 2020-06): Representing the claimant in an UNCITRAL arbitration administered by the PCA brought under the India-Korea BIT against the government of India, concerning claims of breaches of India's FET and MFN obligations.
- *Gokul Das Binani and Madhu Binani v Republic of North Macedonia* (PCA Case No. 2018-38): Lead counsel representing the claimants in an UNCITRAL arbitration administered by the PCA brought under the India - North Macedonia BIT against the government of the Republic of North Macedonia in relation to certain investments made by the claimant in the mining sector.
- *Kalpataru Power Transmission Limited v Rwanda Energy Group*: Lead counsel representing the claimant in a Kigali-seated ad-hoc UNCITRAL arbitration against the Rwanda Energy Group, concerning a dispute over a contract to install and commission a 220 KV power transmission network interconnecting the Democratic Republic of the Congo and Rwanda.
- *Standard & Poor's v Bombay Stock Exchange*: Lead counsel for Standard & Poor's Global Ratings in a Singapore seated arbitration against its Indian joint venture partner Bombay Stock Exchange, under SIAC Rules.
- Lead counsel representing a prominent Indian company and its Singaporean subsidiaries in the oil & gas sector in India, in relation to a Singapore seated arbitration initiated against them by an international conglomerate having diversified business interests in coal, oil & gas, commodity and dredging, under SIAC Rules.
- *Powerica Ltd v Neilan International*: Lead counsel representing Powerica Ltd (an Indian company) in two separate London-seated ICC arbitrations, against Neilan International (a Sudanese company) and Sudan Thermal Power Generating Company, arising out of contracts for the construction of two thermal power plants in Sudan.
- *Manek and others v IIFL Wealth (UK) Ltd and Others* (Claim no. CL-2017-000625): Advising IIFL Wealth (UK) Limited (IIFL), the UK arm of an Indian financial services company, in defending a claim for damages currently pending before the Commercial Court in London.
- *AMNS Middle East FZE v LIQS Pte Ltd* (Claim no. CL-2021-000175): Representing AMNS Middle East FZE, the Dubai commodities trading arm of a joint venture between the ArcelorMittal Group and Nippon Steel Corporation in its claims against LIQS Pte Ltd, a Singapore-based entity of the Liberty Steel House group, currently pending before the Commercial Court in London.
- Lead counsel representing M3energy Berhad (a Malaysian company) in a Mumbai seated ad hoc arbitration against an Indian government entity, and related proceedings before the Bombay High Court.
- *Essar House Private Limited & another v ArcelorMittal Nippon Steel India Limited* (Special Civil Petition (Civil) No. 3187 of 2021): representing ArcelorMittal Nippon Steel India Limited before the Supreme Court of India and the Bombay High Court.

Commercial arbitrations (international and domestic)

International (seated outside India)

- *Kalpataru Power Transmission Limited v Rwanda Energy Group*: Lead counsel representing the claimant in a Kigali-seated ad-hoc UNCITRAL arbitration against the Rwanda Energy Group, concerning a dispute over a contract to install and commission a 220 KV power transmission network interconnecting the Democratic Republic of the Congo and Rwanda.

- *Standard & Poor's v Bombay Stock Exchange*: Lead counsel for Standard & Poor's Global Ratings in a Singapore seated arbitration against its Indian joint venture partner Bombay Stock Exchange, under SIAC Rules.
- Lead counsel for a Spanish infrastructure company in a Singapore seated arbitration under SIAC Rules relating to indemnification claims arising out of equity investments made in Indian road asset project companies.
- Lead counsel for a Canadian private equity firm in a Singapore seated arbitration under SIAC Rules relating to indemnification claims arising out of investments made in Indian road assets.
- Lead counsel for the claimants, a Mauritian PE fund and a sister Indian PE fund, in a Singapore-seated SIAC arbitration against a company and its majority shareholders based in India.
- Lead counsel for a prominent Indian company and its Singaporean subsidiaries in the oil & gas sector in India, in relation to a Singapore-seated arbitration initiated against them by an international conglomerate having diversified business interests in coal, oil & gas, commodity and dredging, under SIAC Rules.
- Lead counsel for Vikram Bakshi and Bakshi Holdings Private Limited in a London-seated LCIA arbitration against McDonald's India Private Limited.
- *Powerica Ltd v Neilan International*: Lead counsel representing Powerica Ltd (an Indian company) in two separate London-seated ICC arbitrations, against Neilan International (a Sudanese company) and Sudan Thermal Power Generating Company, arising out of contracts for the construction of two thermal power plants in Sudan.
- Lead counsel for two Luxembourg-based subsidiaries of the one of the world's largest steel manufacturers in an ICC arbitration seated in Abu Dhabi for disputes under two agreements for supply of rails to the UAE for a fixed price.
- Lead counsel for a Gurugram-based IT services company in a AAA arbitration seated in New York against a US consumer services company.
- Lead counsel for a UAE-based subsidiary of the one of the world's largest steel manufacturers in a Singapore-seated SCMA arbitration against a UAE-based commodities trader.
- Lead counsel for a UAE-based subsidiary of the one of the world's largest steel manufacturers in a Singapore-seated ICC arbitration against a UAE-based subsidiary of a global energy, steel and oil conglomerate headquartered in India.
- Lead counsel for a Singapore-based tech startup in a multi-party shareholder dispute involving its acquisition by an Indian unicorn.
- Lead counsel for an Indian company in a London-seated LCIA arbitration against an English marble manufacturing company for the recovery of unutilised advance sums under a supply contract.
- Lead counsel for an Oman-based oil exploration company in an ad-hoc arbitration against a worldwide leading geophysical solution provide.
- Representing S&T Interiors and Contracting (an Oman based company) in a Kazakhstan seated ICC arbitration against Astana Property Management arising out a construction contract.
- Representing a leading Mauritius company, in relation to a London seated arbitration with its joint venture partner for a project involving oil & gas drilling and well construction in Nigeria, under LCIA Rules.

Domestic (India-seated)

- Lead counsel for Mr Sumit Gandhi and Mr Manish Gandhi (the Gandhi brothers) in two India-seated SIAC arbitrations against their erstwhile JV partners, Airgate Holdings Ltd. (Airgate), under various related agreements.
- Lead counsel for an India-based joint venture between two of the world's largest steel producers in two domestic ad-hoc arbitrations seated in Mumbai in respect of its claims against Indian subsidiaries of a global energy, steel and oil conglomerate headquartered in India.
- Represented an Indian company in a Delhi seated ad-hoc arbitration against the National Highway Authority of India relating to demonetisation of Indian currency.
- Represented one of the world's largest re-insurer in a Mumbai seated ad-hoc arbitration against an Indian insurance company.
- Represented an Indian shipping company in a Mumbai seated ad-hoc arbitration arising under a charterparty, against a Ukrainian company.
- Represented a leading steel manufacturing company in a Surat seated arbitration relating to cargo handling and port services in India.

Investment treaty arbitrations

- *Gokul Das Binani and Madhu Binani v Republic of North Macedonia* (PCA Case No. 2018-38): Lead counsel representing

the claimants in an UNCITRAL arbitration administered by the PCA brought under the India – North Macedonia BIT against the government of the Republic of North Macedonia in relation to certain investments made by the claimant in the mining sector.

- *Shokat Mohammed Dalal v United Arab Emirates*, ICSID Case No. ARB/19/10: Lead counsel representing the claimant in an ICSID arbitration brought under the UK-UAE BIT against the government of the UAE in relation to certain investments made by the claimant in the UAE real estate sector.
- *Korea Western Power Company Limited v India* (PCA Case No. 2020-06): Representing the claimant in an UNCITRAL arbitration administered by the PCA brought under the India-Korea BIT against the government of India, concerning claims of breaches of India’s FET and MFN obligations.
- *JKX Oil & Gas plc, Poltava Gas B.V. and Poltava Petroleum Company JV v Ukraine* (PCA Case No. 2015-11): Representing the claimants in their investment treaty claims against Ukraine. The matter included securing an SCC emergency arbitrator order against Ukraine and enforcing it in a Kyiv court.
- *Hrvatska Elektroprivreda d.d. v Republic of Slovenia* (ICSID Case No. ARB/05/24): Representing the Republic of Slovenia in an ICSID arbitration under the Energy Charter Treaty and another bilateral treaty defending claims brought by Hrvatska Elektroprivreda d.d., the national electricity company of Croatia, and relating to the operation and ownership of a nuclear power plant.
- *British Caribbean Bank Ltd. v The Government of Belize* (PCA Case No. 2010-18): Representing British Caribbean Bank Limited in its successful claim against the Government of Belize under the UK Belize Bilateral Investment Treaty.

Litigation before Indian and English Courts

Indian courts

- Vikram Bakshi and Bakshi Holdings Private Limited in various proceedings against McDonald’s India Private Limited before the National Company Law Tribunal, the High Court of Delhi and the Supreme Court of India.
- Betamax Ltd (a Mauritius based company) in enforcement of its SIAC arbitration award in India, before the Bangalore High Court and Supreme Court of India.
- M3nergy Berhad (a Malaysian company) in its Mumbai seated ad hoc arbitration against an Indian government entity, and related proceedings before the Bombay High Court.
- Norscot Rig Management Private Ltd (a Mauritius based company) in enforcement of its ICC arbitration award before the Bombay High Court.
- Advising Mahavir Port and Terminal Private Limited in its successful appeal before the Court of Appeal in London against an injunction obtained by Orexim Trading from the Commercial Court.
- Advising a Mauritius based company in its proceedings before the Commercial Court in London for enforcement of an ICC arbitration award against a large Indian conglomerate.
- ArcelorMittal Nippon Steel India Ltd in several proceedings, including references to arbitration, interim relief applications and suits before the Surat district court, Gujarat High Court and Supreme Court of India.
- ArcelorMittal North America Holdings LLC in enforcement proceedings with respect to a Minnesota seated ICC award before the Bombay High Court.
- Lead counsel representing M3nergy Berhad (a Malaysian company) in a Mumbai seated ad hoc arbitration against an Indian government entity, and related proceedings before the Bombay High Court.
- *Essar House Private Limited & another v ArcelorMittal Nippon Steel India Limited* (Special Civil Petition (Civil) No. 3187 of 2021): representing ArcelorMittal Nippon Steel India Limited before the Supreme Court of India and the Bombay High Court.

English courts

- *Manek and others v IIFL Wealth (UK) Ltd and Others* (Claim no. CL-2017-000625): Representing IIFL Wealth (UK) Limited (IIFL), the UK arm of an Indian financial services company, in defending a claim for damages currently pending before the Commercial Court in London.
- *AMNS Middle East FZE v LIQS Pte Ltd* (Claim no. CL-2021-000175): Representing AMNS Middle East FZE, the Dubai commodities trading arm of a joint venture between the ArcelorMittal Group and Nippon Steel Corporation in its claims against LIQS Pte Ltd, a Singapore-based entity of the Liberty Steel House group, currently pending before the Commercial Court in London.

Recommendations

An 'outstanding lawyer'. [Chambers Global 2022](#)

Global thought leader. [Who's Who Legal 2022](#)

Future leader of arbitration. [Who's Who Legal 2018, 2019 & 2020](#)

Global leader. [Who's Who Legal 2020 & 2021](#)

Top 100 Lawyers. [Forbes India Legal Powerlist, 2021](#)

Recognised in 'Top 40 lawyers in India under 40'. [Legal Era 2019](#)

One of the 40 "Young Legal Eagles" of the Indian Legal Ecosystem. [BW Legal World 40 under 40](#)