



Rahul P Jain

Associate Counsel
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Mumbai

Primary Practices

Litigation
ADR and IBC
Real Estate and TMT

Education

LL.B. K. C. Law College,
University of Mumbai, 2007

Admissions

Bar Council of Maharashtra &
Goa

Languages

English, Hindi, Gujrati,
Marathi

Rahul is part of the dispute resolution practice group of the firm. He has over 12 years of experience and specializes in commercial litigation and arbitration, and real estate transactions. In addition, Rahul has significant experience in Tax advisory – Direct and Indirect and Dispute Resolution practice and litigation. He regularly appears before various High Courts and tribunals, including appellate authorities.

He has researched and rendered opinions on direct and indirect taxation - Excise Act 1944, Customs Act 1962, and matters pertaining to Octroi, service tax and GST. He has been involved in invoking arbitration and mediation proceedings and filing claim before the Arbitrator and Arbitral Tribunal and attending and appearing hearing before the Sole Arbitrator and Arbitral Tribunal and attending till Supreme Court of India.

He has researched and given opinions under the Companies Act, 1956, the Monopolies and Restrictive Trade Practices Act, 1969, Foreign Exchange Regulation Act, 1973, Securities Exchange Board of India Act, 1992, and allied laws. Also, assisted in several negotiations relating to mergers and acquisitions, joint ventures and drafting various documents involved therein including shareholders agreement, technology license agreement, share purchase agreement, business center agreement, escrow agent agreement and partnership deed.

He has rich knowledge of Real Estate projects and undertake services relating to land titles, acquisition of lands, development of such lands, sale of premises constructed on the lands, leasing of premises of such lands, Redevelopment under section 33 of DCR 1991 and 2034 and advising under the Mahad Act, the MCGM Act.

Rahul had earlier articulated with and commenced his legal career with Crawford Bayley & Co, where he worked for over 4 years. Prior to joining the independent boutique firm as Senior Associate in Alpha Chambers, Advocates & Solicitor, in July 2016 till 2019, he was the Senior Legal Manager for Nahar Builders since 2014 and prior to that Senior Associate of Law firm Res Legal, Advocates and Solicitor for a period of over 6 years.

Representative Matters

Litigation:

- **Vodafone India Limited** in a Writ Petition filed before the High Court of Judicature at Bombay challenging the Notice to Hutch under Section 49 of Bombay Sales Tax Act for imposition of sales tax on voice transmission service for FY 1995 to 1999

- **SBIGFL** in Arbitral Proceedings before the Sole Arbitrator for, inter alia, recovery of outstanding dues under the factoring facilities granted by SBIGFL. Vs Team Interventure Ltd. (erstwhile Ruchika International)
- **SBIGFL** in Arbitral Proceedings the Sole Arbitrator, for, inter alia, recovery of outstanding dues under the factoring facilities granted by SBIGFL. Vs Mission Vivacare Ltd. (in liquidation) & Ors.
- **SBIGFL** in Arbitral Proceedings before the Sole Arbitrator, for, inter alia, recovery of outstanding dues - Multiflex Laxmi Print Ltd. (in liquidation) under the factoring facilities granted by SBIGFL.
- **SBIGFL** in various Execution Proceedings before the Hon'ble High Court at Mumbai, for, inter alia, execution of Arbitral Award passed in favour of SBIGFL.
- **Centre for Digestive and Kidney Diseases (India) Private Limited ("CDKD")**, Providing legal services in relation to arbitration proceedings under a Business Conducting Agreement with Metropolis Healthcare Ltd
- **ACME Solar Holdings Ltd. (ACME)** in a Writ Petition filed in the High Court of Judicature at Bombay (Nagpur bench and Bombay bench) and High Court of Jaipur and Jodhpur, challenging the safeguard duty at the rate of 25% on imported Solar cells and modules.
- **Kamal Baliga Charitable Trust** in a First Appeal filed in the High Court of Judicature at Bombay, challenging cancellation notice of registration and freezing of bank accounts issued under the FERA, Act
- **Gulf Catering Company** before the IRP, RP, RA, Coc and Liquidator for claim under foreign arbitral award in IBC proceedings.
- **ACME Solar Holdings Ltd** in NCLT Mumbai for its claims against Aircel Limited and Dishnet Wireless Limited under the provisions of the Insolvency and Bankruptcy Code, 2016
- Worked on TMT matters and successfully completed legal service for "Manjhi – The Mountain Man", "Rang Rashiya", "Budhia Singh – Born to Run", "India Rawstar – Star Plus", Ghar Aaja Pardeshi – Sahara One", "Antakshari - SAB TV" "Jamtara – Webseries etc
- Conducted Documentary Legal Due Diligence and issues reports for Real Estate property on behalf of FlipKart India Limited, InstaKart India Limited, Bharti AXA Life Insurance Co. Ltd, Reliance Nippon Insurance Co. Ltd etc