



Vaibhav Choukse

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Practice Areas

Disputes

Sectors

Healthcare and Pharma

Energy

Manufacturing

Telecommunications & Broadcasting

Real Estate

Transport & Logistics

Investment funds and Asset Management

Banking & Financial Services

Insurance & Pension

Mines & Minerals

Construction and Engineering

Agriculture & Forestry

Hospitality, Tourism & Retail

Technology, Media & Sports

Automobile

About

Vaibhav is a multifaceted competition lawyer with more than eleven years' experience. He has been practising competition law since its inception in India, focusing on complex enforcement and merger cases. He represents and advises clients on a broad range of competition law issues spanning across several sectors. He has handled several high-profile competition litigations in various fora including the Competition Commission of India (CCI), Director General, the National Company Law Appellate Tribunal, High Courts, and the Supreme Court.

He routinely advises leading multinational and industry associations on matters ranging from cartel leniency, dawn raids, abuse of dominance, distribution agreements to competition compliance mandates.

On the merger control side, he has successfully advised and obtained approvals for complex transactions in both the Form I and Form II formats. Further, he has been involved in transaction advisory mandates in relation to structuring to ensure competition law compliance; forensic reviews of transaction documents; and information exchange between parties during acquisitions, mergers & due diligences.

Vaibhav worked closely with the Ministry of Corporate Affairs and the CCI in the finalisation of the Indian merger control regime. He also assisted Mr Amitabh Kumar on the National Competition Policy Committee in relation to the introduction of the National Competition Policy and amendments to the Competition Act.

He holds a master's degree in competition law from Kings College, London, where he has had the good fortune of receiving tutelage from Prof. Richard Whish in EU Competition Law. He has authored numerous articles in competition law journals & leading newspapers and is a frequent speaker on all antitrust issues in various fora. He is recognised as one of India's leading competition lawyers, including being recognised by Chambers & Partners, Who's Who Legal, Global Competition Review and RSG Consulting.

Prior to joining the firm, Vaibhav has worked with in the competition law practice of Amarchand & Mangaldas & Suresh A Shroff & Co.

Experience

Some of the key assignments in these areas handled and being handled by XYZ amongst others, cover the following:

Competition Litigation

- Successfully defended Indiabulls Financial Services (bank pre-payment penalty case), Responsive Industries (PVC sheet cartel), Alkali Manufacturer Association (soda ash cartel), Modi Tyres (tyre cartel), Omaxe Limited (real-estate cartel) and Wockhardt Limited in cartel inquiries before the CCI.
- Successfully defended Zee Turner, Omaxe Limited and Indian Railways in abuse of dominance inquiries before the CCI.
- Successfully defended Mikuni Corporation, Japan and Diamond Electric Manufacturing Co. Limited, Japan in auto-parts cartel inquiry before the CCI.
- Strategized and filed leniency applications for companies involved in sectors including broadcasting, conveyer belt, solid waste management equipment's, paper and beverage with the CCI.
- Defending Hyundai Motors & Ford Motors in abuse of dominance inquiries before the CCI, NCLAT and SC.

- Defending various Japanese auto-parts manufacturers, male contraceptive manufacturers and a paper manufacturer in cartel inquiries before the CCI.
- Defended an oil marketing company, cable manufacturers, a truck operators association, LPG cylinder manufacturers, sugar companies and pharmaceutical companies in cartel inquiries before the CCI.
- Defended National Stock Exchange and Super Cassettes (T-Series) in abuse of dominance inquiries before the CCI.
- Representing leading seed companies in an abuse of dominance inquiry against Monsanto Group before the CCI, Delhi High Court and SC.
- Defended cement manufacturer, LPG cylinder manufacturer, shoe manufacturers and explosive manufacturers against the order of CCI in cartel inquiries before the NCLAT.

Merger Control

- Mahindra & Mahindra/ Ford Motor Company (2020)
- Adani Power/ Odisha Power (2020)
- JSW/ BMM Ispat (2020)
- Sanaka Capital/ Edelweiss Financial Services (2020)
- Temasek/ Billdesk (2019)
- Teleperformance/ Intelenet (2018)
- Crown Holdings/ Signode Industrial Group (2018)
- Adani Transmission/ Reliance Infrastructure (2018)
- Rosneft/ Trafigura/ Essar Oil (2017)
- eBay/ Flipkart (2017)
- Reliance Communication/ Sistema (2016)
- Reliance Defence/ Pipavav Defence (2015)
- Harman International/ Symphony Technology (2015)

Memberships

Bar Council of Madhya Pradesh

International Bar Association (IBA)

Publications

Coronavirus crisis: Keeping up with the competition - Financial Express, April 2020

Why digital cartelisation will be a new challenge for the anti-trust regime - Financial Express, August 2018

No cold-calling please: How hiring practices can be an antitrust violation - Financial Express, November 2016

Shaping Standard Essential Patents policy - Financial Express, August 2016

DIAL(ing) antitrust - the Financial Express, May 2016

Disqualified by competition law. Is your job in jeopardy? - Economic Times, November 2015.

Cartels driving public procurement - Hindu BusinessLine, September 2015.

Free calling or dialling antitrust? - Financial Express, July 2015

Antitrust law for a free and fair internet - Hindu BusinessLine, April 2015.

The debate on essentials - Hindu BusinessLine, March 2015.

E-tailers and the future of friction-free capitalism - Business Standard, November 2014.

Sweetheart deals that hurt consumers - Business Standard, September 2014.

Calculation of Fines in India - In search for some guidance - Global Antitrust Review: Issue 4, 2011.

BCCI: Caught Behind - The Economic Times, May 2011.

Education

B.A., LL.B., NLC, Bharati Vidyapeeth, Pune (2008).

LL. M in Competition Law, Kings College, London (2009).

Languages Spoken

English

Hindi
