







Dheeraj Nair

 Partner and Co-Chair, Disputes |  + 91 11 4311 0636 |  dheeraj@jsalaw.com |  New Delhi

Practice Areas

Disputes – Litigation, Arbitration, Insolvency and Anti-Corruption, White-Collar Crime and Investigations

Corporate Advisory

Sectors

Manufacturing

Information Technology – Online Trading, Intermediaries & Fintech, E-commerce

Pharma, Lifesciences and Nutraceuticals

Private Equity

Banks and financial institutions

Hospitality & Travel

Oil and Gas

Real Estate

Media and Sports

About

Dheeraj is a Partner with JSA since 2009.

Dheeraj has over two decades of experience advising and representing clients on complex arbitrations, litigations and regulatory proceedings. His practice spans various sectors including Pharma and Healthcare, Food & Beverages, FMCG, Manufacturing, TMT, Fintech, Banks & Financial Institutions, Private Equity, Oil and Gas, Intermediaries, Hospitality Chains, Transportation including Aviation and Logistics.

Dheeraj regularly acts in matters pertaining to shareholder and joint venture disputes; investment disputes; commercial corporate disputes; white collar offences and internal investigations; insolvency and bankruptcy proceedings; administrative and constitutional law disputes; environment compliances and violations; employment including workplace sexual harassment complaints; data privacy; mergers, demergers, and restructuring implementation through Tribunals.

Dheeraj has represented clients in high-value domestic and international arbitrations, both ad-hoc and under the rules of arbitral institutions such as the SIAC, ICC and LCIA. He is also a qualified Advocate-on-Record of the Supreme Court of India since 2008 and has appeared in twenty High Courts of India.

Dheeraj is sought after for his strategic inputs and innovative out-of-the-box thinking on complex issues, and is known for his ability to effectively mediate and negotiate settlements for clients.

Dheeraj has been featured in several rankings in the past, and more recently, the 2023 edition of Asian Legal Business - India's Top Disputes Lawyers, the 2023-24 edition of Legal 500 Asia Pacific directory and Legal Era Leading Lawyer Ranking 2023.

Experience

Few notable mandates handled by Dheeraj are below:

- represented SAP India Private Limited and SAP SE GmbH, a leading software company before a Constitution Bench of the Supreme Court of India in a petition filed by Cox and Kings Limited, on the applicability of group of companies doctrine under the Arbitration and Conciliation Act, 1996, resulting in the landmark judgment in *Cox and Kings Ltd. v. SAP India Pvt. Ltd. and Anr.*;
- successfully represented PepsiCo India Holdings Private Limited before a Division Bench of the Delhi High Court, in setting aside the revocation of PepsiCo's registration for its potato variety FL 2027 under the Protection of Plant Varieties and Farmers Rights Act, 2001.
- successfully represented one of the promoter groups of India's largest aviation company, in a London Court of International Arbitration (LCIA) (India) arbitration in relation to disputes under the shareholders' agreement with the other promoter group, and in proceedings under Section 9 of the Arbitration and Conciliation Act, 1996 before the Delhi High Court. (India Business Law Journal – Dispute of the Year for 2021);
- advised and represented the foreign majority shareholder of a real estate joint venture company with respect to criminal proceedings against its Indian joint venture partner for fraudulent conduct, siphoning off and disgorgement claims;
- Represented the independent directors of Firestar International Limited and Firestar Diamond International Private Limited in proceedings before the Serious Fraud Investigation Office and the Central Bureau of Investigation;
- Representing a Singaporean multinational banking and financial services corporation in execution proceedings pending before the Delhi High Court and in an application filed by Daiichi Sankyo Company Limited seeking a forensic audit of the bank's dealing with the (pledged) shares of Fortis Healthcare Limited, dealings with the borrower and guarantor companies in connection to the pledged shares and dealing with the overseas group companies of the judgment debtors and connected entities;

- Advised a sovereign wealth fund regarding proceedings by the Enforcement Directorate under the Prevention of Money Laundering Act, 2002;
- Representing India's largest e-commerce group in various proceedings including arbitrations, white collar crime defences, internal investigations, B2B disputes, regulatory proceedings, including under food safety, legal metrology and consumer protection legislations;
- Representing a leading global FMCG company in proceedings for protection of its intellectual property before High Courts and district courts across India, for various brands in categories such as packaged drinking water, snacks, carbonated beverages and juices; and
- Representing a global tech company in litigations arising out of its fintech function and app marketplace, and with local law enforcement agencies on white collar crimes (particularly cybercrimes).

Memberships

Member - Specialist Mediator Panel of Singapore International Mediation Centre

Member - Supreme Court Bar Association, Delhi High Court Bar Association & National Company Law Tribunal

Select Publications

The Interplay Between International Arbitration and Insolvency Proceedings: Indian Perspective, SIAC India Newsletter, 2024

A missed opportunity, The Financial Express, January 22, 2024

"Seat" versus "venue" - the saga resurrects, Lexology, October 2023

Treatment of Interest - A Guide for Operational Creditors, Lexology, October 2023

Delhi High Court defines criminal liability against online marketplaces in India, Mondaq, September 2022

Chilling effect of Section 164(2) on Directors, BWLegal World, 2022

Education

B.SL, LL. B., University of Pune (2000)

Languages Spoken

English

Hindi

Malayalam