



Shardul Amarchand Mangaldas



Akshay Sharma

Partner

Dispute Resolution

Akshay has represented several clients in the construction, engineering, infrastructure, telecommunication and information technology sectors in various high stake and complex international and domestic arbitrations.

Akshay specialises in technically complex matters, both in traditional industries (such as oil and gas, steel manufacturing, power plants, construction etc.) as well as newer sectors such as information technology, software, biometrics, cloud telecommunications. Akshay works closely with various international law firms across jurisdictions (such as in the United States, Japan and Brazil).

He also appears and briefs senior counsels in commercial litigation before the Supreme Court of India, various high courts, and district courts and other specialized tribunals. These include matters relating to white-collar crimes, real estate, company law disputes and competition law related litigation. He also routinely advises on transactions from a dispute resolution perspective.

Akshay began his career specialising in corporate criminal litigation and white-collar crimes and has appeared before multiple high courts and trial courts in different jurisdictions. He has also done some significant public interest work which included legal aid and working on the case challenging the constitutionality of India's law criminalising homosexuality before the Supreme Court of India.

Akshay has contributed to various guides and handbooks including the Global Arbitration Review (GAR) for the India Chapter on Construction Arbitration (through the years 2020 – 2023), India Chapter of Chambers and Partners Global Practice Guide on Product Liability & Safety, for the years 2019 and 2020, the Herbert Smith Gifts and Entertainment Guide (India Chapter), and the Overseas Corruption Project (India Chapter).

Select Experience Statement

- Representing a leading French industrial gases manufacturer in USD 530 million (INR 40 billion) dispute against a leading Indian steel manufacturer. This includes an ad hoc arbitration (with an international tribunal) and enforcement and challenge proceedings before a district court.
- Advising and representing India's pioneer IT services, solutions and distribution company in relation to its dispute against the statutory authority regulating the world's largest biometric ID system before separate ad hoc arbitral tribunals, and in challenge

Location

- Delhi

Education

- B.A.LL.B (Hons.), National Law School of India University, Bangalore (2013)

Practices

- Dispute Resolution

Professional Membership

- Bar Council of Delhi, India





proceedings before the Delhi High Court. The contract is one of the largest systems integration contracts in the world.

- Representing and advising a global telecom conglomerate, a Singaporean entity, and an Indian telecom company in a London seated arbitration under the American Arbitration Association (AAA) rules, with governing law of the state of New York. The matter pertains to alleged breaches of a services agreement for provision of cloud communications platform, its unlawful termination, and tortious claims for alleged disruption of services. The Arbitral tribunal has issued a final award in favour of our client in April 2022 and has directed the opposite party to pay unpaid dues and damages.
- Representing and advising a Singaporean entity and its Brazilian subsidiary in a Sao Paulo seated arbitration under the Rules of the Center for Arbitration and Mediation of the Chamber of Commerce, Sao Paulo (CAM-CCBC), with Brazilian governing law. This is a corporate dispute with a Brazilian company regarding shareholder rights and majority control. The Arbitral Tribunal has issued a partial award on liability in favour of our client in July 2022.
- Representing and advising South Asia LPG Ltd. (a joint venture between Bharat Petroleum and Total Holdings India) before the Supreme Court and the National Company Law Appellate Tribunal in a matter relating to abuse of dominance and compensation.
- Advised and represented a consortium between an Indian and a German company in a dispute arising out of construction of a standby jetty for India's first liquefied natural gas Receiving and Regasification terminal before an ad hoc arbitral tribunal.
- Advised an Indian EPC company, the employer in disputes against the contractor, a government owned engineering and manufacturing company regarding construction of a thermal power plant in India. The claims were to the tune of USD 250 million.
- Advised a Korean contractor before Dispute Adjudication Board for claims valued at over \$40 million against an employer arising out of an EPC contract based on the FIDIC conditions of contract. The agreement is an EPC Contract for one of India's largest suspended cable bridge construction projects.
- Advised a Korean company in relation to a USD 25 million dispute regarding the supply of fertilizers in India.
- Advised a Korean company on the strategy options in relation to pending insurance claims with respect to insured property.
- Advised an international real estate company on the legal framework relating to acquisition or development of real estate projects in India.
- Advised and represented a Navratna Enterprise of the Government of India in a litigation before
 - the Supreme Court regarding completion of unfinished real estate projects. The estimated cost
 - of completion of unfinished projects was around INR 85 billion.
- Advising multiple companies and individuals in criminal proceedings before the ED, various trial courts, and quashing proceedings before various high courts.



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- Represented various Indian companies and their promoters in arbitration proceedings before a sole arbitrator, in suit proceedings and arbitration appeals before the Delhi High Court, and before the Debt Recovery Tribunal and the National Company Law Tribunal.
- Advised and represented a high net worth individual in civil and criminal proceedings before the Madhya Pradesh High Court and district courts.

