



Advani & Co.
BARRISTERS - AT - LAW

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About the Firm



Advani & Co. is a partnership firm started by Mr. Advani in 1986, which has come to be known as one of the leading firms in commercial law in India. The firm has a wide international law practice with clients from all parts of the globe, including USA, Europe & Asia, with offices in Delhi, Mumbai, & Pune. We have a total team of 35+ lawyers with experiences in different sectors of law.

Advani and Co. is a new age law firm with advisory and dispute resolution practices in multiple practice areas. At Advani, through our practice goals, we have been able to create and preserve value in providing legal services. Towards this we recognise that businesses and individuals require substantive and procedural advisory work to commence their operations and subsequent enforcement to safeguard these rights. Advani aims to provide these services promptly with particular emphasis on quality. We have a specialised focus towards commercial and business laws and regularly represent large Indian and multinational corporations.

Advani & Co. under their commercial and corporate law practices have the ability to deliver results by combining expert counsel and commercial pragmatism so as to benefit their clients at every stage of their business. Lawyers at Advani & Co. command the requisite expertise to assist Indian and Foreign companies on all aspects of legal, regulatory and tax compliance. We structure acquisitions in a manner that is beneficial and tax efficient, conduct detailed legal due diligences, document the transactions and assist in negotiations.

Honours and Awards

- Mr. Hiroo Advani, the Senior Partner of the law firm has been recognised as one of the leading experts in Arbitration in India and is one of the two Indian lawyers listed in "An International Who's Who of Commercial Arbitrators".
- Advani & Co. has also been listed as the best law firm in Mumbai for commercial dispute resolution in a leading publication known as "Asia Pacific Legal 500". This publication is highly respected and has interviewed a large number of law firms in India to ascertain the leading law firms in their peer group.
- Advani & Co. was recognised as "The Best Law Firm" for Intellectual Property Law practice in a survey held by the Asian Counsel's Firms of the Year 2008.
- Advani & Co. has also been given a Top Rank for their Dispute Resolution: Arbitration Services by Chambers Asia 2009.
- Advani & Co. has also been given an award for their Dispute Resolution by India Business Law Journal in February 2010.
- Awarded as the "Best Dispute Resolution Firm" for 2010 by Global Law Experts.
- Awarded as the "Best Dispute Resolution Firm" for 2010 by India Business Law Journal.
- Advani & Co. is featured in the Chambers Global 2011 – Leaders in the Field of Arbitration.
- Mr. Hiroo Advani has been placed in Band I of the Chambers Directory for 2011.



Our Practice Areas



GENERAL CORPORATE ADVISORY

Our legal services to prominent overseas corporations have given us experience in large transactions with cross-border dimensions. Our commercial law practice includes matters in India and across the world, relating to mergers and acquisitions by international corporations. We generate valuable due diligence reports and legal opinions for our clients and play an integral role in their decision-making and negotiation processes. We offer a confidential and precise perspective and are the ideal complement to our client's internal resources.

The focal point of our fast emerging corporate practice has been, both inbound and outbound joint ventures, mergers and acquisitions and private equity deals, which involves, inter alia, drafting or vetting Memorandum of Understanding (MOU), Share Holders' Agreement (SHA), Share Purchase Agreement (SPA), Technology Transfer Agreements, Software Licensing Agreements, Software Development Agreements, Corporate Compliance, Legal and Regulatory Compliance, Privacy Agreements etc.

ARBITRATION AND MEDIATION

Arbitration and Mediation is one of our core competences. Our enviable record illustrates that we have resolved 30 to 40 million dollars disputes in arbitrations in the past three years and have successfully fought arbitrations ranging from 50 million to 500 million dollars. These successes confirm Advani & Co. as viable leaders in the field of arbitration,

both domestically and internationally. Advani & Co. has successfully dealt with international as well as domestic arbitrations with a success rate of 80%.

The Firm's accolades and recognitions in the practice area includes:

- Consistent Band 1 rating in "Asia Pacific Legal 500, 2012 Edition" for Arbitration and Dispute Resolution.
- Top Rank for our Dispute Resolution: Arbitration Services by Chambers Asia 2012.
- Awarded Best Dispute Resolution Firm by India Business Law Journal in February 2010.
- Mr. Hiroo Advani has been recognised as one of the leading experts in Arbitration in India and is one of the two Indian lawyers listed in "An International Who's Who of Commercial Arbitrators".

COMMERCIAL AND CORPORATE LITIGATION

Advani & Co. provides comprehensive representation in all aspects of commercial and civil litigation. The firm strongly believes in identifying with the client and treating the clients' interest as paramount. We have a record of securing excellent results through aggressive strategy to secure early reliefs for our clients.

In India, litigation can be a lengthy process, taking 15 to 25 years, from the time of filing of a suit to the time of execution of a decree. With this background of delay, the firm endeavours to structure remedies and reliefs in a manner that motivates the opposite party to settle rather than prolong the litigation.

INSURANCE

We are closely working with the insurance sector to provide qualitative legal services representing and advising Insurers, Policy holders and Intermediaries like brokers, surveyors and third party administrators.

Insurance covers are usually interspersed with clauses which are borrowed from its origins in the United Kingdom. The clauses tend to be standardised and there is little scope to accurately customise the cover for the insured

and therefore, often the insured and insurer do not see common ground on claims.

REAL ESTATE AND INFRASTRUCTURE

Advani & Co. has an extensive experience in dealing with the conveyances. We specialise in structuring foreign investment in the real estate sector in India, issues pertaining to all sorts of conveyances and drafting the conveyance deeds, renewal of lease, setting up and registration of a co-operative housing society. We aid clients with all kinds of property transactions. Our expertise is recognised in the Legal 500 which states that, Advani & Co., has a "strong expertise in advising on transactions and infrastructure projects, and has a substantial base among public sector clients...Advani & Co advises on various projects".

PROJECT FINANCE

We have extensive experience in handling matters concerning project finance and we have a specific team of lawyers exclusively dealing with the matters concerning the financial arrangement and representing both lenders and banks.

We have extensive experience in drafting and dealing with the documents like consortium/multiple lending loan agreements/ bridge loan documents, debenture subscription agreement, debenture trust deeds, deed of mortgage/ creation of mortgage by deposit of title deeds, deed of hypothecation/ guarantee / promissory notes, pledge agreements, deferred payment guarantees, underwriting contracts, escrow agreements, credit agreements, concession agreements, etc.

SHIPPING AND MARITIME

Shipping is a very significant part of the firm's practice as Mumbai is a prominent port and also, because of the fact that the Bombay High Court has been conferred with the jurisdiction to order the arrest of a ship anywhere in Indian territorial waters. Advani & Co. have over the years represented numerous foreign ship owners and charterers, including the President of India (the world's largest charterer) and several P&I Clubs active in India, in arbitrations as well as litigation. We have been on the panel of the Food Corporation of India, a substantial charterer, and have assisted the Corporation in foreign litigation.

INTELLECTUAL PROPERTY RIGHTS

Advani & Co. has well-experienced veterans dealing with Intellectual Property Rights. A significant portion of our intellectual property practice involves helping clients maximise the goodwill of their intellectual property while minimising the risk of infringement. We provide legal advice in connection with all aspects of Intellectual Property, including its registration, exploitation and enforcement. Advani & Co. has over the years specialised within the domain of intellectual property rights with special regard to working on Trademarks and Copyrights related issues for medical services, steel services, departmental stores, etc.

BANKING AND FINANCE

Considering the ever evolving legal rules and regulations, the influx of asset reconstruction companies in India and the recent relaxation of the External Commercial Borrowing norms, coupled with other investor friendly relaxations, the legal approach in this field also needs a continuous metamorphosis. Advani & Co. prides in being able to consistently serve the legal requirements of its clients. We have been regularly providing advisory as well as transactional expertise to Banks, Financial institutions and clients.

Advani & Co. has the experience and ability to serve its clients, being abreast with the changing laws and being mindful of the industry set-up and clients' requirements. We are empanelled with various nationalised and private sector banks and NBFCs and have handled fairly large transactions relating to project finance, security creation, security enforcement, etc.

In our years of experience we have successfully represented creditors as well the debtors and consistently worked towards achievement of a favorable financial closure. Our expertise is recognised in the Legal 500 which states that, Advani & Co., has a "strong expertise in advising on transactions and infrastructure projects, and has a substantial base among public sector clients...Advani & Co advises on various projects".

ENVIRONMENTAL LAWS

Our specialised team of lawyers provides legal advice on environmental laws, rules and regulations. With our team's in-depth knowledge on The Environment (Protection) Act,

1986, The Water (Prevention and Control of Pollution) Act, 1974, The Air (Prevention and Control of Pollution) Act, 1981, The Public Liability Insurance Act, 1991, etc, we regularly advise clients on regulatory compliances related to environment protection laws. Furthermore, our law firm has satisfactorily rendered advice to companies like Philips Electronic India Limited, Gilbarco Veedor Root India Private Limited, etc. in obtaining licenses from various Ministries and Boards, developing policies, procedures and systems, under Air and Water Pollution Acts whereby minimising the risk of damage to their corporate reputation by helping them establish a name for responsible environmental stewardship.

INDUSTRIAL AND LABOUR LAWS

The Indian industry covers a wide diaspora of man-force intensive industries and in a country driven by disparity, number of unskilled labour exceeds the skilled manpower; our governments' concerns are tilted towards the lower segments of employees. The Indian Parliament alongwith the legislatures of the states within the Indian Union have developed a detailed body of statutory enactments, rules, regulations and notifications relating to the discipline and management of the labour force and their conditions of work. Nevertheless, it shall be wrong to assume that employees not falling within the definition of "Labour" or the employers need no protection for their rights.

TRUST AND SOCIETIES

In today's economy registered companies are the most common and stable form of business organisation. However, owing to certain circumstances like the available capital, number of members, desired structure, future plans and requirements, objects of the organisation, etc., a registered company may not always be the suitable option. Advani & Co. is a generation next law firm where constant efforts are made to create legal solutions to meet our clients' exact requirements.

TECHNOLOGY, MEDIA AND TELECOMMUNICATIONS

The IT and E-commerce sectors have witnessed tremendous growth in India which is known today for its IT prowess. Many multinational companies have a digital footprint in India, outsourcing their work to India's huge service sector. In view of this, today it is important for companies to be sensitive to the various gamut of laws which apply. This

commences from most directly the data protection and privacy laws and extends to intellectual property rights. Beyond pure financial disputes, contentious litigation often involving criminal laws against websites which host social media content has also been on the rise. Our lawyers routinely act for such new age companies through all such matters from advisory to contentious representations.

MERGERS AND ACQUISITIONS

Lawyers in Advani & Co. have a unique understanding of all the complex legal and economic issues involved with mergers and acquisitions. Using our extensive familiarity with the relevant authorities and processes, we help deliver speedy resolution for a multitude of legal procedures faced by our clients.

Many of our clients are overseas parties and as a result we are at ease dealing with substantially complex transactions. This has also contributed to our experience in large transactions with cross-border dimensions. We often collaborate with large international law firms to bring such large transactions to fruition.

Indicative List of Our Clients



Acergy.

Albany Molecular Research Incorporation.

Alfa Laval Ltd.

Alpic Finance Ltd.

Airtel

Ashok Leyland Finance Ltd.

Avesta Polarit Stainless.

Baker Hughes Singapore Pvt. Ltd.

Bank of Baroda.

BCCI.

Bennett Coleman & Co. Ltd.

Birla AT&T Communication Ltd.

British Petroleum.

Bright Brothers/ Bright Autoplast

Brown & Root /Haliburton.

Canadian Dairy Farm.

Canara Bank.

Celebrity Locker Entertainment Pvt Ltd.

Jashanmal Group of Industries.

Jawaharlal Nehru Port Trust.

Jones Lang LaSalle Meghraj.

JSW Steel Ltd.

ISMT Ltd.

Kalmart Systems (M) SDN BHD.

Klockner Steel Trade.

Konecrances.

Kone Corporation.

Kotak Mahindra.

Larsen & Toubro.

Man B&W Diesel AG.

Meryll Lynch.

Mitchell Group.

MOJJ Engineering.

National Petroleum Construction
Company.

Outokumpu Technology.

Pantaloon Retail India Ltd.

Colgate- Palmolive India Ltd.
Coster Group.
Crompton Greaves.
Danaher Corporation.
Deutz AG.
Development Credit Bank.

Dolphin Offshore Services.
DSS Software.
Electrowatt.

Consulate General of France..
ENERCON GmbH.
ETPM.
EZB Software.
First Health Care.
Food Corporation of India.
Fujitsu.
Godrej Industries Limited.
Gilbarco Veeder Root
Godrej Agrovat Limited.
Grainotch Industries Ltd.
Hindustan Petroleum Company Limited.
Hungama Entertainment Private Limited.
Hyundai Heavy Industries.
Delhi Development Authority
Bharkra Beas Management Board

Philips Electronic India Limited.
Poona Bottling Company Pvt. Ltd.
Prime Securities Ltd.
PRA Realities.
Rediffusion.
Rosary Education Group.

Set India.
Sagarika Music Pvt. Ltd.
Steel Authority of India Limited
(SAIL).

Syntel International Pvt. Ltd.
P.A. Export a.s.
Snamprogetti.
Spectrum Health Care.
The United Western Bank.
Tulip Star Hotel.
Union Bank of India.
Valio Engineering.
Williams Communications.
Zee Group of Companies.
ZVVZ-Enven Engineering.
ZVVZ Machinery.
Hyundai Engineering Corporation.
Bharat Heavy Electrical Limited
Rasthriya Chemical & Fertilizer Ltd.

Partner profiles

(For complete list please refer our website)

Mr. Hiroo Advani, Managing Partner, Advani & Co.

Mr. Hiroo Advani completed his schooling from Cathedral & John Connon High School, Bombay and graduated with a Gold Medal from Bombay University in 1970. He thereafter proceeded to Cambridge University in the United Kingdom where he obtained his Masters Degree in Law.

After qualifying as a Barrister-at-Law and on returning to India, he started practising as Counsel in the Bombay High Court. In 1986, he started the law firm, Advani & Co., which has come to be known as one of the leading firms in commercial law in India. The firm has a wide international law practice with clients from all parts of the globe, including USA, Europe & Asia, with offices in Mumbai, Delhi & Pune.

Mr. Hiroo Advani is a leading authority on arbitration and joint ventures and participated as a keynote speaker in several seminars. He has also contributed to several international publications such as 'Economist' and 'Euromoney'.

He has participated as the lead Counsel in a number of arbitrations in the I.C.C. and L.C.I.A. and Stockholm Chamber of Commerce, several of which are presently ongoing.

He has also participated as the lead Counsel in more than 100 domestic arbitrations under the Arbitration and Conciliation, Act, 1996 (India), several of which are presently ongoing.

In 2002, the Asia Pacific Legal 500 has listed Advani & Co. as the 'Best Firm in India for Dispute Resolution' and Mr. Hiroo Advani has the privilege of being one of only 2 Indian lawyers listed in the prestigious 'Who's Who of International Arbitration'.

Mr. Adesh Jain, Managing Partner-Delhi

Adesh completed his Law from the Campus Law Centre, Faculty of Law, Delhi University in 1987. Adesh is also an alumnus of Hindu College and IIM, Indore.

Adesh's initial few years were spent in the Chambers of leading Criminal and Civil lawyers of Delhi. In 1997, Adesh established his own independent law practice and also served as

an Addl. Standing Counsel to the Union of India in the Delhi High Court. During his practicing years , Adesh has handled Litigations of all hues ranging from Civil, Property, Criminal, Consumer, Constitutional, service, Labour and Contractual issues. He has appeared in the Supreme Court, various High Courts, District Courts, Debt Recovery Tribunal, Consumer Commissions and Forums, Telecom Regulatory Authority (TRAI) and TDSAT besides other Statutory bodies. Notable amongst those cases are the Connaught place shootout case, resisting a multimillion dollar tender award challenge and challenge to appointment of Executive Director, National Horticulture board by Union Agriculture minister. All these cases were widely reported by the media.

Adesh has an experience of being a Lead Counsel to various Corporate Groups in the Country like, The LG Electronics Group, Escorts Group, The Oberoi Hotels Group, The Times Group (owning Times of India and various TV Channels such as Zoom, ET Now and Times Now, besides Radio Mirchi) and Eaton Corporation of USA. During this period, he worked on several transactions, JV's, Tender Documents, National and International Commercial Contracts, Private Equity, Compliance and M & A issues. His strategic thinking, ability to demystify and resolve complex legal issues resulted in huge cost savings and avoidance of unquantifiable reputation risk for his Clients. He has also worked on ensuring shelving of the unfriendly Broadcasting Bill and Cross- media restrictions. He handled negotiations and settlement of high value deals in different corporate spheres.

Mr. Karam Advani, Partner

Educated at Rugby, then studied anthropology and law at LSE before converting to law at BPP Law School in the UK. He was admitted to the English Bar and worked in India as counsel and has practiced in (Supreme Court, various High Courts, City Civil Court, Small Causes Court, DRT, Metropolitan Magistrate Court,). His primary focus is litigation but has also handled substantial corporate, IP, tax and real estate work, In particular, he has built up some experience in making challenges to public tenders.

Karam has worked on various international and domestic arbitrations under the LCIA Rules, IAMA, ICC, SIAC and had drafted arbitration notices, pleadings, witness statements, statement of claims, Statement of Defence, Counter Claim, Applications, Affidavits-In-Evidence, written arguments and other miscellaneous applications.

Mr. Shashank Garg, Partner

Shashank graduated from School of Law and Legal Studies, Indraprastha University, Delhi and began his career in Supreme Court litigation at the chambers of Mr. Harish Salve, the former Solicitor General of India. After a short stint in litigation, he pursued his interest in commercial law and went for his masters to School of Law at University of Nottingham, UK. After returning to India, he joined the chambers of Mr. Parag Tripathi, (then) Additional Solicitor General of India. Later, he became the founding Partner at Accendo Law Partner, New Delhi which has now merged with Advani and Co. He is also the Panel Counsel for the Union of India, Bhakra Beas Management Board, Jr. Standing Counsel for State of U.P in the Supreme Court and Special Counsel for Delhi Development Authority.

He has delivered lectures at Rajiv Gandhi National University of Law, Indian Law Institute, Jesus and Mary College, Indian Institute of Finance, NLU Delhi, etc. He was also awarded complete scholarship by Hague Academy of International Law for the summer course on private international law in 2009. He has also completed one year diploma in International Business and Trade Law from India Society for International law. He is a member of IBA, YIAG, SCBA, Lawasia etc. He has also authored a book on Tourism Laws

Mr. Apar Gupta, Partner

Apar graduated top of his class from Amity Law School, Delhi and then joined India's premier dispute resolution law firm Karanjawala & Co. During his stint there, Apar represented India's top corporate houses and high income individuals in courts as well as in arbitrations. He has also authored a book on the Information Technology Act which is published by Wadhwa, Lexis Nexis Butterworths. To pursue his further studies, Apar proceeded for his masters to Columbia Law School, New York where he obtained his LL.M.

He is presently a partner at Advani and Co., where he appears in courts and arbitrations, advises and makes agreements for corporate clients. Apar also represents government and PSU's in litigations and arbitrations and is presently on the panel of BHEL, a Navratna PSU and the Controller of Certifying Authorities, Ministry of Information Technology.

He is deeply engaged in the formation of technology law and policy and has been associated with the Software Freedom Law Center, India. Apar has previously trained at top-tier firms including Amarchand & Mangaldas & Suresh A. Shroff and AZB & Partners.

Mr. Asif Lampwala, Partner

Asif has graduated from Government Law College in the year 1993 and has been working with the firm for over 15 years. He was awarded the British Chevening Scholarship in the year 1998 and went to College of Law in York. He has worked in Law firms in London and Tokyo and has advised clients who were keen to do business in India. Asif has an extensive experience in handling various corporate transactions and advising clients regarding the best strategies for entering and operating in India.

Furthermore, Asif also specializes in litigation and he has appeared in Supreme Court, various High courts, City Civil Courts, Small Causes Courts, Debt recovery Tribunal and Metropolitan Magistrate Courts. Asif has appeared for the Board of Cricket Control in India and the Jockeys Association and also specializes into sports related matters.

Ms. Aradhana Prabhakar, Partner

Aradhana graduated from the University of Pune and is heading our office in Pune. With her years of experience both nationally and internationally, her primary practice area is Arbitration both domestic and international covering various aspects of corporate, commercial, litigation, property and administrative works. With her experience in arbitration she has worked closely on major international arbitrations under the UNCITRAL, ICC, LCIA, IAMA and SIAC Rules under Indian and English laws in the fields of Banking, Trade in Global Depository Receipts, Infrastructure and related to Joint Venture Agreements and on domestic arbitrations in the fields of Infrastructure, Insurance, Shipping and Lotteries.

Additionally, with her advanced education in Business Laws from Grant McEwan University, Alberta, Aradhana has been handling a variety of cases ranging from negotiations in commercial shipping projects and power projects to constitutional questions, including the challenge to a recently enacted legislation in the Supreme Court of India.

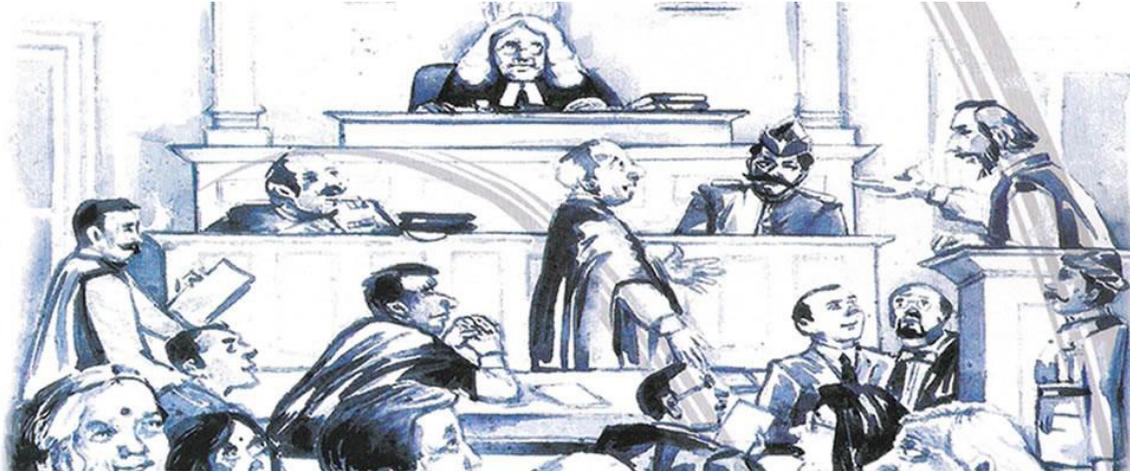
Aradhana has extensive experience in providing business clientele with a broad range of legal advice which includes her expertise in regulatory and statutory works as required under the Indian Regulations. She has undertaken voluminous activities with respect to licensing processes for major multi-national companies.

Mr. Kshitij Sancheti, Partner

Kshitij has obtained his law degree from ILS Law College, Pune. With years of work experience in the field of corporate/ commercial law, Kshitij is heading the corporate practice at Advani & Co.

He has been actively involved in diverse corporate and commercial transactions like joint ventures, mergers, slump sale, business/ asset transfers, drafting and negotiating various contracts such as EPC and O&M contracts, share holders agreements, share purchase agreements, licensing agreements, assignment agreements, technology transfer agreements, etc. including the legal due diligence exercises.

He assists listed as well unlisted companies with regulatory, administrative, and legislative affairs affecting businesses. This includes advice on the provisions of the Companies Act, foreign exchange management issues including the regulatory issues and the SEBI regulations.



For more details please visit us at:

www.advaniandco.com