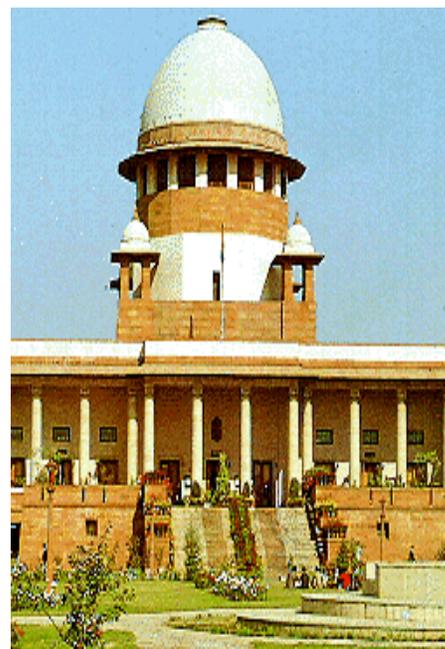


● ● ● | Advani & Co.

Advani & Co. | Commercial and Corporate Litigation

With lawyers at the offices at Mumbai, Delhi and Pune, Advani and Co. is a new age law firm with advisory and dispute resolution practices in multiple practice areas. At Advani, through our practise goals, we have been able to **create and preserve value** in providing legal services. Towards this we recognize 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 specialized focus towards commercial and business laws and regularly represent large Indian and Multinational Corporations.



Resolving Conflict Effectively

Pre-Litigation Strategy | Interim Orders | Appeals | Execution

gation. The firm strongly believes in identifying client's interests and treating them rest as paramount. We have a record of securing excellent results through pre-litigation strategy to secure early reliefs for our clients.

In the event of disputes our lawyers possess the requisite experience flowing from representing top corporate houses and high income individuals across various judicial and quasi-judicial forums. We hold a high degree of expertise in complex civil litigation involving distinct aspects of a dispute falling in different jurisdictions. As a firm we also recognize the popularity of alternate methods of dispute resolution from litigation, forming a specialized team to focus on arbitration.

We are also rated as one of the top Indian Law Firms in dispute resolution by the Legal 500. In addition, the India Business Law Journal awarding the award for the best Dispute Resolution firm to us in 2010 stated that Advani & Co. has, "built strong reputations for their prowess in dispute resolution "

Advani & Co., provides comprehensive representation in all aspects of commercial and civil litigation.



“...strong reputations for their prowess in dispute resolution.”
Indian Business Law Journal on Advani & Co.



Our Focus, Relief Centric

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 litigation.

We often obtain the required reliefs for our clients by filing petitions, where the cases are against the Government or Governmental Agencies.

We also structure reliefs around interim orders that are passed at the initial hearings so that our clients can

get the desired results without waiting indefinitely till the final hearing.

This imaginative approach has helped many of our clients who would otherwise be in serious difficulty due to the delays in the judicial process.

We are also representing a number of banks in recovery proceedings against their customers in specially constituted Debt Recovery Tribunals.

India's Court System

India has a rather complex judicial system. Here is a simple explanation of the various institutions which come under the purview of the Judiciary.

- There are first, the separate networks of Civil and Criminal Courts.
- Apart from separate Civil and Criminal Courts, there are a number of special courts and tribunals that adjudicate on disputes under specific statutes (for ex-

ample, the Labour Courts or the Debt Recovery Tribunals).

- Then there are the Courts and Tribunals located in each state that are under the direct supervision of the High Courts.
- The High Courts in addition to their supervisory jurisdiction also serve as Appellate and Revisional Courts from the decisions of the Civil and Criminal Courts

and Tribunals.

- The Supreme Court of India is the final court of appeal from the decisions of the High Courts.

In such a mix of courts, often a single dispute falls within the competence of multiple forums. Here choosing the right forum as well as the most convenient jurisdiction is key to obtaining quick relief and also budgeting the litigation expenses.

Interim Injunctions etc.

As set out before due to the delays in the legal process Interim Reliefs in the form of Injunctions and Specific Relief are quite popular with litigants in India.

Here a plaintiff may approach a court for relief on grounds of urgency seeking to restrain or compel the defendant from acting in a certain manner. Indian courts generally favor preserving the status quo of the dispute.

Our previous represen-

tations in which we have successfully obtained interim orders include:

- Approaching courts to obtain reliefs in Sec. 9 proceedings under the Indian Arbitration Act to preserve the property in dispute before the Arbitration is constituted.
- Filing Sec. 17 before the Arbitration tribunal for interim reliefs after the tribunal has been constituted.
- Obtaining anton pillar orders, mareva injunctions, john doe orders in cases of Intellectual Property Infringement and piracy.
- Obtaining more general injunctions under the Code of Civil Procedure. These injunctions also contain reliefs such as appointment of receivers as well asking for the deposit of money by the defendants.



Company and Corporate Disputes

We have experience representing large Indian Corporates and Multinational Companies in Indian courts and tribunals. Some of our representations include:

- Approaching the company law board for various companies in cases of oppression and mismanagement of companies. We also have sizeable experience in de-
- Approaching and defending litigation regarding the winding up of companies due to a deadlock or due to an alleged inability by a company to pay its debts.
- Filing the scheme of arrangements and mergers before High Courts in India and obtaining

fending such proceedings.

their sanction.

- Representing banks against companies for the recovery of debts and also representing companies defending such proceedings.
- Representing companies in cases of disputes between different joint venture partners.

Having appeared before various international arbitral institutions we understand the nuances of international arbitration and their procedural formalities.

Approaching Tribunals et al.

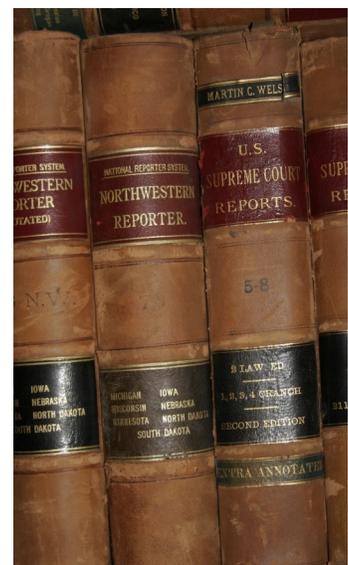
There has been a growth in tribunals which deal with specific disputes under special laws. Our lawyers have sizeable experience in appearing before such forums. Some of our representations include:

- Appearing before the Telecom Disputes Settlement Appellate Tribunal which has been
- Appearing before the Controller of Patent and Trademarks as well as the Intellectual Property Appellate Board in cases

constituted to adjudicate in cases of telecommunication disputes.

of refusal of registration and revocation of Patents and Trademarks.

- Appearing before the Company Law Board in case of company disputes.
- Appearing before the Debt Recovery Tribunals and the Debt Recovery Appellate Tribunal.
- Appearing before the Competition Appellate Tribunal.



Advani & Co.

Delhi | Mumbai | Pune



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We take great care in preparation of material which is presented here, however we cannot guarantee the accuracy of the contents due to the changing legal environment as well as the individualized nature of most legal queries and disputes. The present publication is form of discussion of current and recent legal developments in India. Here we would like to caution the reader that the contents here though informative do not constitute legal advice. Hence readers are requested to seek legal counsel for their queries and desist from relying on the information presented herein. Finally we would like to thank you for reading the our publications and in case of any questions, queries or comments kindly mail us at mumbai@advaniandco.com