



SHIVANI SANGHI

Partner
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BIOGRAPHY

Shivani is a partner in the Business and Commercial Disputes team in BCLP's London office. She has more than 15 years experience in strategically resolving complex, high-value, multi-stakeholder, cross-border Commercial Litigations and International Arbitrations. She is also dual-qualified as a Solicitor-Advocate in England and Wales and as an Advocate in India.

Shivani leads complex & high-profile commercial litigations and international arbitrations, managing concurrent proceedings in multiple jurisdictions - such as India, British Virgin Islands, Cayman Islands, Luxembourg, Cyprus, Bulgaria, and the Balkan region - with key responsibility for developing global case strategy and delivering commercially driven outcomes for her clients.

She acts for corporates, high-net worth and ultra high net worth individuals on disputes arising in a variety of sectors, including construction, mining, media, hotels, energy, telecoms, banking, private

equity, pharma, and software technology.

Shivani has represented clients in many high-profile cases before the English courts, including the English High Court, Court of Appeal and the UK Supreme Court.

She has also acted for clients in complex high-stake arbitrations, under the rules of various arbitration institutions such as the ICC, LCIA, SCC and SIAC, in venues around the world, as well as on investor state arbitrations. She has significant experience in Emergency Arbitrations, and in matters involving fraud, conspiracy, and world-wide freezing injunctions.

Shivani is recognised by *Law.Asia* and *India Business Law Journal* as '*one of the top international lawyers for India-related matters worldwide*', and is featured in *India Business Law Journal's "A-list of India specialists around the world"*. She is also a Steering Committee member of Indian Women in International Arbitration (IWIA).

ADMISSIONS

- England and Wales
- India

RELATED PRACTICE AREAS

- Business & Commercial Disputes
- Real Estate
- International Arbitration
- Retail & Consumer Products
- Construction Disputes
- Banking & Finance Disputes
- Litigation & Dispute Resolution
- Mining & Metals
- Renewables
- Hotels and Hospitality
- Financial Institutions
- Appellate

EXPERIENCE

COMMERCIAL LITIGATION

- Representing directors of major Pakistani electricity company *Karachi Electric Supply Power* in various proceedings before the English High Court, English Court of Appeal and the Cayman Grand Court in relation to a contractual and shareholder dispute.
- Advising leading Indian construction conglomerate *Shapoorji Pallonji* and *STC Power* on issues arising under a EPC contract.
- Representing the Defendants on the landmark case *VTB v Nutritek* in the English High Court, Court of Appeal, the UK Supreme Court and in the BVI High Court in successfully dismissing all appeals for maintaining the English court jurisdiction, continuing a Worldwide Freezing Order (WFO) and permitting lifting of the corporate veil to exercise jurisdiction.
- Representing an ultra high net-worth tech entrepreneur in a dispute involving ownership, corporate governance and intellectual property relating to the largest social network company in Russia's *com* and messaging application *Telegram*, in proceedings in the BVI, New York and LCIA arbitrations, leading to a world-wide settlement of all disputes.
- Representing the 43% shareholder in major Bulgarian telecom company *Vivacom* in the English High Court in a dispute against VTB Bank to set aside a fraudulent and undervalue sale of Vivacom by VTB or claim EUR 150 million in damages.
- Representing *Sberbank* in the English High Court in a successful challenge of an application by the Bank of Azerbaijan seeking a permanent moratorium against creditor action by Sberbank in England under an English law governed debt, resulting in a landmark ruling affirming the application of the 'Gibbs Principle' over the Cross Border Insolvency Regulations.
- Representing a former Russian senator in the English High Court in a 6-day hearing, seeking to discharge a US\$1+ billion freezing order obtained by a Russian state agency.
- Representing the former owner of a Russian granite mining business in proceedings in Nicosia, Cyprus against a Cypriot affiliate of a Russian Bank involving allegations of fraud, conspiracy and raiding.
- Advising a leading alternative investment firm in seeking approval from the Indian Supreme Court for its investment in a major Indian energy and infrastructure group that was subject to freezing orders.
- Advising a UK company engaged in providing parking services to various airports in relation to a dispute, arising from the disputed validity of a joint venture agreement.

INTERNATIONAL ARBITRATION

- Representing 7 major hotel management companies in 7 concurrent *emergency arbitrations* (under the ICC and SCC Rules) against a major leading international hotel group in dispute arising under sub-license agreements.
- Acting for *Indian investors*, in an USD 240 million investment treaty arbitration claim under the India-North Macedonia Bilateral Investment Treaty, against the Republic of North Macedonia, in relation to the alleged expropriation of mining concessions to mine lead and zinc and their reassignment to another company at a significant undervalue.
- Representing a leading *European media company formerly owned by Warner Media* in a London-seated LCIA arbitration against a leading multi-play telecom and media provider, in a dispute involving payment of termination fee for a failed EUR 230 million media transaction.
- Representing “*supermajor*” *French multinational oil and gas company Total* in a USD 4 billion ad hoc arbitration brought by a Malawi company under a fuel supply agreement, including obtaining a stay of related Malawi court proceedings.
- Representing an ultra high net-worth entrepreneur in a US\$2 billion LCIA arbitration in a shareholder dispute over a valuable social network company *com* in Russia concerning a breach of the right of first refusal.
- Acting for an *Indian Energy Solution Conglomerate* to bring a USD 50 million claim, under the SIAC Rules, against an Australian metals company operating, involving breaches of certain agreements entered between the parties for setting up a joint venture for the purpose of developing and operating a first-of-its-kind lithium refinery in India.
- Representing a *Bulgarian technology company* in a USD 330 million ICC arbitration against a Guernsey company in a dispute involving alleged breaches of the terms of an Equity Swap Transaction governed by the *ISDA 2002 Master Agreement* in relation to shares in major Bulgarian telecom company Vivacom.
- Representing a UAE company against a Macedonian company in a LCIA Arbitration involving a claim for recession of contract governed by English law regarding provision of Ferronickel ores.
- Advising a Cypriot holding company of a major Russian clothing retailer in relation to a USD 30 million London-seated LCIA arbitration in a dispute with a BVI company relating to repayment of monies provided under various multi-party loan agreements, that involved issues of Cypriot law and BVI law, and related proceedings in Cyprus and BVI.

RESOURCES

PUBLICATIONS

- Contributing Editor, International Comparative Legal Guide (ICLG) to Enforcement of Foreign Judgments 2021: England & Wales Chapter
- Contributing Editor, ICLG Enforcement of Foreign Judgments 2021: Expert Chapter on 'Beyond Brexit: Recognition and Enforcement of Judgments Between the UK and the EU'
- Contributing Editor, ICLG Enforcement of Foreign Judgments 2020: Expert Chapter on 'Enforcement Under the Hague Choice of Court Convention'
- Contributing Editor, ICLG Enforcement of Foreign Judgments 2020: England & Wales

SPEAKING ENGAGEMENTS

- Panel Speaker at Asian European Arbitration Centre & European Chinese Arbitrators Association Conference in Dusseldorf in Nov 2023 on 'Enforcement of Arbitration Awards in Asia'
- Panel Speaker at Paris Arbitration Week in Paris in March 2023 on 'Arbitrating in Asia - Common Law vs. Civil Law'
- Panel Speaker at American Bar Association India Conference in Delhi in March 2023 on 'Resolving M&A and Shareholder Disputes'
- Panel Speaker at 4th Annual India Dispute conference in London in November 2022 on 'Third Party Litigation Funding'
- Panel Speaker at the ThoughtLeaders4 Disputes | TL4D - India Dispute Resolution Forum in London in June 2022 on "Using foreign courts and tribunals to resolve Indian Disputes"
- Speaker at Global Arbitration Review (GAR) Debate in February 2022 on 'The house believes there is due process paranoia in international arbitration'
- Panel Speaker at ICC Arbitration Conference 2019 in Mumbai in December 2019 on 'Issues relating to Emergency Arbitrators and Emergency Arbitration Awards'
- Panel Speaker at ICC YAF Global Conference 2019 in London, UK in June 2019 on 'Diversity in International Arbitration'
- Panel Speaker at ICC Arbitration Conference 2018 in April 2018 on 'Evidence in International Commercial Arbitrations'

RELATED INSIGHTS

Events

Sep 20, 2024

New BCLP partner Shivani Sanghi to speak at India ADR Week