

# HIGH COURT OF JAMMU AND KASHMIR AT SRINAGAR

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**Subject: Nomination for Arbitration Committee of the Jammu and Kashmir International Arbitration Centre.**

## ORDER

No:403/GS

Dated: 02.10.2020

In exercise of powers under Rule 3.1 (a) & (d) of the Jammu and Kashmir International Arbitration Centre (Internal Management Rules) 2020, following members are nominated for the Arbitration Committee of the Jammu and Kashmir International Arbitration Centre:

- i) Justice Sindhu Sharma, Judge of the Common High Court of Jammu & Kashmir and Ladakh;
- ii) Justice Rajnesh Oswal, Judge of the Common High Court of Jammu & Kashmir and Ladakh;
- iii) Justice Javed Iqbal Wani, Judge of the Common High Court of Jammu & Kashmir and Ladakh;
- iv) Sh. Gaurav Pachnanda, Senior Advocate, Vijay Vihar, 91 Exchange Road, Jammu Tawi;
- v) Sh. Abhinav Bushan, Regional Director for South Asia, ICC Arbitration and ADR, ICC International Court of Arbitration, Singapore;
- vi) Sh. Moazzam Khan, Advocate, Head Global Litigation, Nishith Desai Associates.

Sd/

**(Gita Mittal)**  
**Chief Justice**

No: 8840-63/GS

Dated: 02.10.2020

### Copy of the above forwarded to:

1. Principal Secretary to Hon'ble the Chief Justice, High Court of J&K,
2. Secretary to Hon'ble Mr/Mrs. Justice \_\_\_\_\_  
.....for information of their Lordships.
3. Sh. Gaurav Pachnanda, Senior Advocate, Vijay Vihar, 91 Exchange Road, Jammu Tawi;
4. Sh. Abhinav Bushan, Regional Director for South Asia, ICC Arbitration and ADR, ICC International Court of Arbitration, Singapore.
5. Sh. Moazzam Khan, Advocate, Head Global Litigation, Nishith Desai Associates.
6. Registrar Vigilance, High Court of J&K at Srinagar.
7. Registrar Rules, High Court of Jammu and Kashmir, Srinagar.
8. Registrar Computers, High Court of Jammu and Kashmir, Srinagar.
9. Registrar Judicial, High Court of J&K, Jammu/Srinagar.  
.....for information.
10. Central Project Coordinator, e-Courts, Srinagar, for uploading the same on the official website of the High Court.

  
**Registrar General**

## *Curriculum Vitae*

Gaurav Pachnanda is a Senior Advocate, whose practice before the Supreme Court of India and other courts and tribunals, is focused mainly on commercial and corporate litigation, including domestic and international arbitrations.

Gaurav is also a Door Tenant at Fountain Court Chambers, London.

He read law at the University of Jammu (LL.B., 1996) and at Corpus Christi College, University of Oxford (B.C.L., 1997), where he was elected a Felix Scholar.

Gaurav began his career as an Advocate in the north Indian State of Jammu and Kashmir, in the year 1997.

In January 2002, Gaurav was appointed the Additional Advocate General of the State of Jammu and Kashmir.

Later, Gaurav resigned his position with the State of Jammu and Kashmir and relocated to New Delhi to join P&A Law Offices (an affiliate of the international law firm, *Jones Day*, in India), as its principal litigation lawyer, where he worked for about four (4) years.

In January 2010, Gaurav was appointed the Senior Additional Advocate General for the State of Jammu and Kashmir, at New Delhi for representing the State before the Supreme Court of India, a position he held until December 2014. He was also engaged in private practice during this period.

He was designated as Senior Advocate by the High Court of Jammu & Kashmir, in December 2011.

Gaurav is also a Registered Foreign Lawyer at the Singapore International Commercial Court (September 2016).

In November 2015, Gaurav was appointed as the Senior Advocate for the High Court of Jammu and Kashmir, for cases before the Supreme Court of India, where the High Court is a party in its administrative capacity.

Gaurav is an Honorary Adjunct Professor of Law and Distinguished Professor of Legal Practice at Jindal Global Law School of O.P. Jindal Global University, India, where he teaches *Law and Practice of Commercial Litigation and Arbitration in India*.

Gaurav is a life member of the Indian Law Institute (ILI), the Indian Council of Arbitration (ICA), the International Centre for Alternative Dispute Resolution (ICADR) and the Bar Association of India.

He is also a member of the Supreme Court (of India) Bar Association (SCBA), the International Bar Association (IBA), the London Court of International Arbitration (LCIA), the Commonwealth Lawyers' Association, London (CLA), the J&K High Court Bar Association (Jammu) and the Delhi High Court Bar Association (DHCBA).

## **Contact Details**

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**Abhinav Bhushan**

**Regional Director for South Asia, ICC Arbitration & ADR, ICC International Court of Arbitration, Singapore**

As Director, Abhinav focuses on helping companies, investors, and attorneys in the Region understand how they can efficiently resolve international commercial disputes by raising their awareness on the ICC's Dispute Resolution Services and its commitment to international arbitration, the procedure, and thought leadership.

Prior to serving as Regional Director as the Court's first Indian Director, he was also the first Indian Deputy Counsel of the Court in Paris, France, where he gained first-hand experience working on arbitrations arising out of common law jurisdictions, in particular working with parties from the United Kingdom, India, Singapore and other regions of Asia. Mr. Bhushan is a regular contributor to various publications on developments in international arbitration and Indian arbitration law. He is frequently invited to speak at international arbitration conferences around the world. He is also an avid promoter of arbitration-related training opportunities for lawyers, corporate counsels, judges and other important stakeholders.

Additionally, Mr Bhushan is the co-chair of ICC Young Arbitrators Forum (YAF), Asia Chapter. Further, as part of the ICC's initiative to develop arbitration in India and South Asia he advises and engages with the law firms, practitioners and users on the procedures and practices of international arbitration, especially ICC arbitration.

Before joining the ICC, Mr. Bhushan completed his LLM at the Columbia Law School and earned a certificate in foreign and comparative law. He was also a member of the Columbia International Arbitration Association and a research assistant. He earned his first law degree from the Government Law College, Mumbai, India. Upon graduation, he worked as an associate with Mulla & Mulla & Craigie Blunt & Caroe, in Mumbai, India.

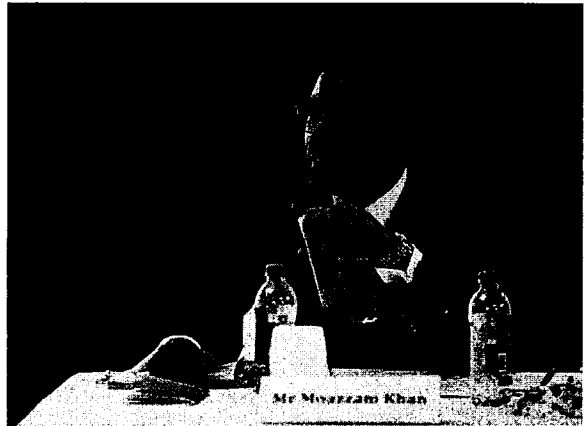
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## Moazzam Khan

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**Moazzam Khan** heads the **Global Litigation Practice** at Nishith Desai Associates (NDA). He also leads the **HR Litigation Practice** at the Firm. After attaining his degree in Law from Symbiosis Society's Law College (Symbiosis International University), Pune, he started his career with Bhasin & Co (New Delhi) in 2007 before moving on to NDA in February 2012.

He represents clients across various sectors and industries including Manufacturing, IT, Hospitality, Funds, PE, Aviation etc. His forte has been advising clients on various cross-border litigations, internal investigations and international commercial arbitrations.



### **Expertise and Experience:**

Moazzam has extensive experience in arguing and handling disputes involving corporate, civil, intellectual property law issues before the Hon'ble Supreme Court of India, various High Courts, various tribunals as well as International Arbitral Institutions.

His recent experience includes:

- Signing the Guide on Mutual Recognition and Enforcement of Civil and Commercial Judgments in DIFC Courts and Courts in India; The Guide was signed by Moazzam and Dr. Michael Hwang, Chief Justice DIFC Courts;
- Successfully acting as lead arguing counsel on Indian laws (with Dr. Michael Hwang on Singapore laws) in a multi-million dollar Singapore seated SIAC Arbitration on behalf of a global power distribution and transmission company;
- Successfully acting as the lead trial counsel (along with Mr. Salim Moollan QC – Essex Court Chambers) in a multi-million dollar Singapore seated arbitration representing a Japanese conglomerate against an Indian public listed company;
- Successfully defending a Singaporean Entity as the lead arguing counsel in a Writ Petition before Delhi High Court;
- Successfully representing a Pharmaceutical Company before the Supreme Court of India and obtaining a landmark ruling in which a non-party to the arbitration agreement was referred to arbitration by lifting the corporate veil.

Enforcement of international arbitration awards and foreign judgements is another area where Moazzam has consistently been engaged in. His recent experience in enforcement of arbitral awards includes:

- Acted as the lead arguing counsel in successfully representing a foreign government in a 50 Billion US Dollar investment treaty award enforcement in India;
- Acted as the lead arguing counsel in successfully representing an Indian fund in enforcement of a multi-million dollar arbitral award against an Indian public listed infrastructure company and its promoters;
- Acted as lead counsel and currently representing a Singapore based Insurance Company in execution of a multi-million dollar Singapore based judgment in India against an Indian listed Infrastructure company;
- Acted as lead arguing counsel Successfully representing a Singapore entity in enforcement of an ICA award passed in India against an Indian listed entity;
- Acted as lead arguing counsel in successfully representing a Korean conglomerate in enforcement of an award passed in an Austria seated ICC arbitration against an Indian public listed company;

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- Successfully representing the world's second largest oilfield services company in enforcement of an award passed in a London seated arbitration conducted as per UNCITRAL Rules and successfully securing disclosures; injunctive reliefs and recovery of amounts under the award.

On India seated Arbitrations front, Moazzam has assisted and represented Indian as well as Global entities in India across courts and arbitral tribunals. He has represented a renowned Indian Art Fund, a renowned Indian Venture Capital Fund, an established global player in Oil & Gas Sector amongst others in their India seated arbitrations and connected court proceedings.

Moazzam is consistently invited to address the attendees at various seminars and conferences, both in India and abroad. Some of his recent engagements on various aspects have been at the ICC-YAF – Delhi, YSIAC – Delhi, Hong Kong International Arbitration Summit – Hong Kong, Dubai International Arbitration Summit- Dubai, and the Great Indian General Counsel Retreat – (Goa) & (Kovalam), Globalization of Legal Services Seminar– Orrisa etc. Having a deep connect with students, Moazzam has also been invited to give guest lectures in colleges like Army Institute of Law, Amity Law School and KIIT to name a few.

### Other positions currently held:

Advisory Board Member - *Center for Advanced Research in Dispute Settlement (CARDS)* established by National Law University, Vishakhapatnam;

Advisory Committee Member – *Nani Palkiwala Arbitration Centre (NPAC)*

India Committee Member - *YSIAC*

Signatory to the Guide on *Mutual Recognition and Enforcement of Civil and Commercial Judgments in DIFC Courts and Courts in India*.

### Recent Publications:

He has authored and co-authored a number of articles and research papers with a focus on arbitration and commercial litigation. Advocating a change in India's perception on the global arbitration stage, his recent publications (2017) are:

- *A BIT more Arbitration Friendly* – Published in Financial Express (10/05/2018)
- *'Enforcing the Foreign Diktat – Puncturing the stereotype'* – Published on Kluwer Arbitration Blog
- *'Indian Supreme Court affirms commitment to Commercial Court's decision on London seat of arbitration'* – Published by LexisNexis
- *India's Arbitration Act: The turbulent teenage years'* - Published by LexisNexis
- The book *Enforcing Arbitral Awards in India* – co-authored by him was recently published by LexisNexis and successfully launched (2017) in India, London, Singapore and Tokyo.
- He is also a contributory author in the book *Repositioning India for Arbitration: Envisioning an empowered nation*.

### Awards and recognitions:

*India Legal Awards 2016* awarded Moazzam with the *Young Achiever Award*.

*RSG India Report 2017* recognizes Moazzam as an *'impressive advocate'*, *'experienced'* and *'knowledgeable'*.

*Benchmark Litigation – Asia Pacific 2019* and *Benchmark Litigation – Asia Pacific 2020* recognize Moazzam as *Dispute Resolution Star* for International Commercial Arbitration.

Moazzam is qualified to practice Indian Law and has been called to the bar by the Bar Council of Delhi in the year 2007. He is a member of DHCBA and SCBA. He is also an empaneled arbitrator at the Delhi International Arbitration Centre.