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LAW LLP

FIRM PROFILE

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Ashish Prasad
Managing Partner

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Key Expertise: Strategy and Risk management, Litigation, Arbitration and Dispute Resolution.

Ashish Prasad is the Managing Partner of Acara Law LLP.

In a career spanning more than 20 years, Ashish has advised a vast range of industries on diverse issues involving Constitutional Law, Securities Law, Banking, Bankruptcy, Environment Law, Debts Recovery, Energy & Infrastructure, Food & Pharma, Mining, Land Acquisition, Intellectual Property, Arbitration, Media and Telecommunication.

Ashish is recognized for his ability to resolve complex commercial disputes and mitigate business risks.

Ashish regularly advises the Mines and Metals Industry, Cement manufacturing industry, Energy & Infrastructure industry, Food, Pharma & FMCG industry on issues involving policy and regulatory changes, government actions, statutory compliances and contractual disputes.

Having started his career with Lall & Sethi Advocates in 2003, he has advised and strategized IP enforcement actions, involving Trademarks, Copyrights, Designs, Patents, Domain Names, Confidential information, Trade secret, Comparative advertising, Counterfeiting, Ambush Marketing and executed Anti-piracy operations in India and South Asia Subcontinent, before expanding his foray into the Securities, Commercial Litigation, Arbitration and Dispute Resolution practices. He continues to advise a wide range of industries on

protection of their Intellectual Property Rights.

Ashish regularly appears before the Hon'ble Supreme Court of India, various High Courts in India and Tribunals.

Ashish was a Partner at Lall & Sethi and Luthra & Luthra and a Senior Partner at ELP before founding Acara Law.

He is an alumnus from Delhi University and has completed courses in Intellectual Property law from World Intellectual Property Organization (WIPO), in addition to holding a Diploma on Cyber Laws from Indian Law Institute, New Delhi. He is admitted with the Bar Council of Delhi.

Key Matters

- Representing leading Artists in protection and enforcement of their IP rights.
- Advising Pharma companies in steering through regulatory changes in the sector.
- Advising on issues relating to dispute between management and labour union in relation to terms of employment including retirement age and termination.
- Advising a leading sports association in following up with changing landscape and compliance with sports code and representing them in courts in various matters.
- Advised and represented DFCCIL in FIDIC based ICC arbitrations.
- Advised and represented L&T in arbitrations.
- Defended first approval for a biosimilar cancer drug in India and has strategized a timely launch of the drug.
- Advised several other drug companies in defending their biosimilar approvals before Courts.
- Successfully challenged the issue of Product Approval (proprietary food) up until the Supreme Court.
- Successfully led the FOPE/IDMA/CIPI – Associations in their challenge to the ban on Fixed Dose Combinations before Delhi High Court.
- Advising and representing power companies before SERC, APTEL and SC.
- Advising corporations in relation to refund of benefits under industrial policies, impact of any new levy, cess, under any law or a new legislation including challenging the regulations / legislation before courts.
- Advising corporations in relation to Prior Allottees' claims in relation to mines allocated under the CMSP Act, 2015.
- Advising regularly on key mining related issues in the country – including the recent NIT and handling litigations in relation to auction under the

CMSP Act, 2015.

- Advising and Representing mining and power generating companies – Aditya Birla Group – in challenging government actions imposing sanctions on their mining and captive power generation activities, invocation of bank guarantees, RPOs and trading of RECs etc.
- Advising in and handling international arbitration in the space of infrastructure as also shareholders' dispute.
- Advising and representing independent directors in relation to asset freeze orders passed by courts in relation to ILFS and Firestar International (Nirav Modi companies).
- Advising and representing successful Resolution Applicants in disputes relating to approval of Resolution Plan.
- Dealt with myriad issues (FM, NPA Employment/PF related) arising due to change in law and government notifications enforcing lockdown due to Covid 19.
- Assisted hospitality and real estate industry in handling the downturn in business due to Covid 19.
- Handling IBC issues before NCLT, NCLAT, Supreme Court and rendering strategic advising.
- Securities litigation including disciplinary action for SEBI and NSE Clearing Limited before SAT and Supreme Court in wake of the orders passed in ILFS matter.
- Advising a leading telecom company in AGR/OTSC related issues.
- Represents a wide range of clients in domestic and international arbitration.
- Assisted one of the leading breweries in action relating to corruption/white collar crimes.
- Advised leading technology-based companies under Data Protection Laws – laying down the compliance protocol, OSP registrations, net neutrality.
- Successfully mitigated damage/claims arising out of crop failure/farmers claims due to alleged insecticide-failure for a leading science-based company.
- Advising Pharmaceutical and Food companies on regulatory issues.
- Represented one of the leading Telecom operators in defending the company in its issues arising out of cancellation of its Unified Access Service Licenses (2G Spectrum case) including representing the Company in allegations of wrongdoings before Special 2G Court and other legal (contractual as well as regulatory) actions pending before various courts and Tribunals across India.
- A class action on behalf of shareholders in a dispute between a foreign

shareholders / Investors.

- Advising a leading sports association in relation to its constitution and interplay with the Indian Sports Code, elections, and development of sports in India.
- Successfully obtained non- compete injunction in a dispute arising out of joint venture agreements between an Indian and a Swiss company.
- Represented one of the largest bottlers for a leading soft drink manufacturer before National Green Tribunal against a factory closure notice.
- Represented a well-known media house in a dispute relating to Media Rights License Agreement(s) in relation to a game of national importance, successfully obtained anti-arbitration injunctions in a dispute between two foreign entities.
- Strategizing and executing IP enforcement actions for major pharmaceutical companies.
- Advised India's premier news agency in protection and enforcement of its Intellectual Property Rights –Copyrights in news items.
- Defamation proceedings in India/UK on behalf of the promoters of a leading media house.
- Multi-jurisdictional (Trans-Border litigation) dispute in relation to Patent Licenses Agreements.

Recognition

- **Benchmark Litigation**

"Ashish Prasad is sharp, pragmatic in his advice and knows how to navigate tough issues. His client care is excellent. He is ably supported by junior partner, Mukta Dutta. The team works very hard and are at the top of the market in terms of quality."

"He is a very able leader who works hard with the team."

- **Legal 500**

Recommended for Litigation and Arbitration

Recommended for Projects & Energy.

- **RSG India Report**

Ashish is described as 'very hands on' and 'decisive'. He recommends a 'firm plan of action' with 'innovative solutions. Commended for his proactive and 'detail-oriented' advice. He was described as 'highly commercial and practical'.



Mukta Dutta

Partner

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Key Expertise: Regulatory Litigation, Commercial Litigation, Arbitration and Dispute Resolution.

Mukta Dutta is a Partner of Acara Law and handles regulatory and commercial disputes and Constitutional challenges. With a career spanning more than 20 years in dispute resolution, Mukta has worked on and successfully executed mandates involving Constitutional law, Civil and Commercial disputes and various Regulatory Laws including Food & Pharma, Mining, Legal Metrology, Insecticides, Labour & Employment, Railways and Land Acquisition.

Mukta regularly advises the Mining, Metals and Cement manufacturing industry on policy and regulatory issues and strategizes in disputes with the Government of India and various State Governments on issues ranging from fulfillment of obligations under Mine Development and Production Agreements, execution, transfer and termination of mining leases and mineral development agreements, application for approvals under various laws relating to Mines, Forests and Environment, disputes with the Indian Railways and fiscal entitlements under industrial policies of various State Governments. She has also advised and represented the industry in several legislative challenges.

She also advises the Food and Pharmaceutical industries in relation to regulatory compliances under various laws. She has been involved in several key litigation in the sector including the challenge to prohibition of fixed dose combinations, challenge to State monopoly on manufacture of oxytocin and various litigation

involving price control and regulation. She also advises the Food, Pharmaceutical and Insecticides industry in matters involving KMP liability under special laws.

Before co-founding Acara Law, Mukta was a Partner at ELP.

Key Matters

- Successfully advised and represented clients in a dispute between Management and Workers' Union in relation to age of retirement. We have obtained judgments in favour from the Hon'ble High Court of Karnataka and Hon'ble Supreme Court.
- Advise and represent clients in various High Courts in matters relating to acquisition of land for mining or setting up industry under the MMDR Act, 1957, LARR, 2013 and local laws including the Madhya Pradesh and Chhattisgarh Revenue Codes and Chotanagpur Tenancy Act, 1908.
- Advised a cement company in issues arising from incentives under Uttar Pradesh Investment Promotion Policy.
- Advised and represented a cement company in challenge to Regulation Fee under Madhya Pradesh Minor Mineral Rules before the Madhya Pradesh High Court.
- Representing a major captive mining company before the Jharkhand High Court in challenging demands for illegal mining under the Common Cause Judgment.
- Advising and representing clients before the NGT and Hon'ble Supreme Court in Environmental matters.
- Advising and representing coal mining companies in various litigation arising out of coal block allocations before the Mines Tribunals at Ranchi and Bilaspur, High Courts of Chhattisgarh and Jharkhand and the Supreme Court.
- Advising and representing a leading medical device company in regulatory compliances under MDR, 2017 and D&C Act.
- Advising and representing pharma companies in relation to approval of their drugs under the D&C Act and before expert committees.
- Advising and handling of international arbitration in the space of infrastructure as also shareholders' dispute.



Anubha Rastogi

**Counsel
Mumbai Office**

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Key Expertise: Civil, Commercial & Criminal Laws

Advocate Anubha Rastogi is a Counsel at Acara Law and has over 20 years of experience in practicing in the Courts of Delhi and Mumbai.

Her key areas of practice are Civil and Criminal Trials, Commercial Disputes Resolution, Securities Laws, White-Collar Crimes, Insolvency, and Restructuring. She appears before the Supreme Court of India, High Courts of Bombay, Delhi, Rajasthan, Patna, MP and Chhattisgarh, Securities Appellate Tribunal, NCLT, State Consumer Commission, NGT and various other tribunals/authorities in Maharashtra and Delhi.

Anubha has been appointed as a Special Public Prosecutor and Counsel for the Securities and Exchange Board of India (SEBI). She continues to represent SEBI in various high-stake matters and has played a crucial role in successfully prosecuting several high-profile offenders before the Special Court for SEBI Cases. Anubha is also known for some groundbreaking jurisprudence in the field of securities laws, related to minimum public shareholding, insider trading, listing regulations, venture capital funds, investment advisors and

intermediaries' regulations and on the interface of securities laws and criminal procedure.

Anubha regularly writes and contributes op-eds and articles in various economic dailies. She is also a subject matter expert on the implementation of the law on sexual harassment at workplace and has served on the Internal Complaints Committees of various organisations and listed companies.

She is an alumna of Faculty of Law, Delhi University. Presently, she is based in Mumbai and regularly practices in the courts of Mumbai.

Key Matters

- Advised and represented IFCI Factors Limited and obtained money decrees under the Factoring Regulation Act
- Advised and represented SEBI as a Special Prosecutor in high stake matters like the IPO scam, Fortis, Sharepro, Anugrah, Ketan Parekh stock market scam and several others.
- Groundbreaking one-of-a-kind judgment applying the anti-suit injunction principles to matrimonial matters.
- Judgment on the distinctness of compounding under the securities law regime as compared to other settlement procedures.
- Compensation in cases of medical negligence and deficiency in service.
- Part of the Mirchpur Trial and Appeal before the Delhi HC, German Bakery Blast appeal, and the Sohrabbudin encounter trial.



Mahfooz A Nazki

Advocate-on-record, Supreme Court of India.

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Key Expertise: Criminal Law, General Litigation, Corporate Regulatory

Mahfooz A. Nazki is an Advocate-on-Record and an arguing Counsel in the Supreme Court of India. He has been the Standing Counsel for the State of Andhra Pradesh in the Supreme Court since 2019. He regularly represents the Securities and Exchange Board of India [SEBI] before the Supreme Court. He also represents the State of Andhra Pradesh before the Krishna Water Dispute Tribunal which is adjudicating inter-State water disputes between the States of Telangana and Andhra Pradesh.

Mahfooz is focused on Supreme Court Litigation and has been involved in a broad and challenging spectrum of matters, both litigious and non-litigious, spanning practice areas such as company matters, civil and criminal litigations, employment and human resources, insolvency and bankruptcy, joint ventures and mining, amongst others.

Mahfooz completed his B.A., LL.B. [Hons.] from NALSAR, Hyderabad, in 2007. Previously, he has served as an Additional Advocate General to the State of Jammu and Kashmir. He was an Associate Partner with Economic Laws Practice [ELP], in its Delhi office. He has also worked in the Chambers of [Retd.] Hon'ble Mr. Justice Rajiv Sahai Endlaw, the Chambers of Mr. Dayan Krishnan, Senior Advocate, the Chambers of Mr. S. Niranjan Reddy, Senior Advocate and Luthra and Luthra Law Offices, New Delhi.



Manu Sharma
External Counsel

Key Expertise: Criminal Law, General Litigation, Corporate Regulatory

Manu Sharma has over 20 years of experience in handling any and all kind of criminal defence for individuals as well as corporates.

Having worked with late Mr Ram Jethmalani and Late Mr R.K "Nasseem" Manu possess skills required to successfully conduct defence trials. Manu often appears before various criminal courts as well and defends cases in High Courts and Supreme Court of India.

Manu has appeared for CBI, Enforcement Directorate, Ministry of Corporate Affairs (SFIO) & various State Governments. Manu has also served on the panel of Union of India before he resigned in 2009 to take up full time defence practice. His areas of expertise include handling criminal trials in Delhi Trial Courts, including trials under special statutes viz. Companies Act (SFIO Prosecutions), Black Money Act, Fugitive Economic Offenders Act, PC Act, UA(P)A, MCOCA, NDPS, PMLA, POCSO Act, etc. and appeal work in High Court and the Supreme Court.

Manu is adept at advising companies and KMPs on cases pertaining to economic offences. Manu has been appointed Amicus Curiae by the High Court of Delhi in numerous Death Sentence cases and murder appeals. Manu is empanelled with the Delhi High Court Legal Services Committee.



Kaustubh Mishra
Associate Partner

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Key Expertise: Infrastructure & Energy laws, International and Domestic Arbitration, Commercial Litigation and White-Collar Crimes.

Kaustubh is a Associate Partner at Acara Law LLP. Kaustubh graduated from NALSAR University of Law, Hyderabad in 2014, and has since practiced litigation and dispute resolution before various fora, including the Supreme Court of India, High Courts of Delhi, Telangana, Chhattisgarh and Odisha, Tribunals such as NCLT, NCLAT, PMLA Appellate Tribunal, APTEL, NGT, NCDRC, Mines Tribunals, District Courts and Arbitral Tribunals.

Key Matters

- Disputes arising out of road and railway construction contracts which adopt FIDIC as the GCC.
- Disputes involving construction contracts.
- Shareholders' disputes / joint venture disputes.
- Claims relating to wrongful termination, non-payment of revenue share and breach of good faith obligations.
- Represented a company broadcasting a sports channel in India in an international commercial arbitration administered under SIAC Rules.

- Represented a leading hotel management company in a domestic arbitration against the hotel owner, arising out of the wrongful termination of the hotel management contract and other ancillary agreements.
- Represented leading exporters before the Supreme Court challenging the denial of rebate entitlements under the Foreign Trade Policy of the Central Government.
- Representing mining companies before Mines Tribunal and High Courts in relation to Prior Allottee Claims and issues under the CMSP Act, 2015.
- Representing industry before the National Green Tribunal in Environment Issues.



Harsha Gollamudi
Counsel - Civil & Criminal

E: harshag@acaralaw.com

Key Expertise: Civil, Corporate & Commercial Disputes and Arbitration.

Mr. Harsha Gollamudi is an alumnus of Amity Law School, Noida and regularly appears in the Delhi High Court, District Courts and various Tribunals in matters involving Civil, Commercial litigation, Criminal litigation, Arbitration, Corporate and Insolvency laws, General Corporate Advisory, Competition Law Advisory, Taxation Laws, Family Law, Labour laws, RERA and Consumer Law, Intellectual Property.

Key Matters

- Representing MNCs, startup companies and individuals in commercial litigation.
- Handling money recovery suit and Arbitration matters for Ecom Express Ltd and Nestaway Technologies Pvt Ltd in Delhi NCR region.
- Handling Suits for Declaration.
- Handling criminal litigation in India for entities based abroad.
- Handling consumer complaints and appeals for individuals and also for Godrej Properties Pvt Ltd before State Consumer Forum and National Consumer Disputes Redressal Commission.
- Handling complaints for individuals and companies before RERA Panchkula and Noida.



Pruthvi Dhinoja
Senior Associate

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Key Expertise: General Litigation, Corporate Advisory

Pruthvi Dhinoja is a Senior Associate in Acara Law. Pruthvi is an alumnus of Institute of Law, Nirma University, Ahmedabad. He is admitted with the Bar Council of Maharashtra and Goa.

Pruthvi has experience in handling matters involving Securities Law and commercial disputes and is involved in advising and representing clients before the Supreme Court, various High Courts, National Company Law Appellate Tribunal, Securities Appellate Tribunal as well as Arbitral Tribunal(s).

Key Matters

- Represented NSE Clearing Limited before SAT, various High Courts and Supreme Court in issues pertaining to Surveillance of Clearing Members, Regulatory actions of suspension and expulsion, Levy of penalties, Claims of the constituents and its redressal, etc.
- Advised the former and current employees of NSEIL in proceedings before SEBI and SAT in the NSE – Colocation matter.

- Handled arbitration matters and is interested in emerging issues in arbitration including third party funding and enforcement of arbitration awards.
- Assisted in regulatory disputes involving the Mines and Metals Industry, Cement and Manufacturing Industries.



Sam C. Mathew
Associate

E: samcmathew@acaralaw.com

Sam is an alumnus of University of Petroleum & Energy Studies, Dehradun and is enrolled with the Bar Council of Delhi and has an experience of 5+ years in Litigation.

Sam has experience in handling matters involving electricity law, company law, insolvency, arbitration, insurance and commercial disputes. Sam regularly appears before High Court of Delhi, NCDRC, District and State Consumer Commission, District Courts, DRT, NCLT, etc.



Vishal Kapoor
Associate

E: vishalkapoor@acaralaw.com

Vishal has completed his B.A. LL.B. from the University of Pune and enrolled with the Bar Counsel of Delhi. He has 2+ years of experience with primary focus on civil and commercial litigation and arbitration. Vishal regularly appears before Supreme Court of India, High Court of Delhi, District Courts, DRT, NCLT etc.



Siddharth Sharma

Associate

E: siddharthsharma@acaralaw.com

Siddharth is an alumnus of West Bengal National University of Juridical Sciences (NUJS), Kolkata and is enrolled with the Bar Council of Rajasthan. Siddharth has experience in civil, commercial and regulatory disputes. He has practiced in the High Court of Rajasthan and has assisted in issues involving Electricity Law and Policy, Mining Law and Policy and Civil and Commercial disputes.



Hasnat Nazki

Associate

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Hasnat is an alumnus of National Law University, Delhi and is enrolled with the Bar Council of Delhi. Hasnat has assisted in IBC filings, land acquisition matters, environment, competition and regulatory disputes.



Atri Roy Chowdhury
Associate

E: atriroychowdhury@acaralaw.com

Atri is an alumnus of Calcutta University, is enrolled with the Bar Council of Delhi and has an experience of over 3 years in litigation. Atri has experience in handling matters involving service law, criminal law, commercial disputes, intellectual properties, electricity law, company law, insolvency, insurance, arbitration, labour law, debt recovery, consumer law and environmental law. He regularly appears before the Delhi High Court, District Courts, Consumer Courts and various tribunals.