



Sharan H. Jagtiani SA*

Year of call: 2000 | Silk: 2020

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"Sharan Jagtiani enters the rankings in recognition of his thriving practice before the Bombay High Court. He handles a range of commercial work, including securities litigation and real estate disputes." Chambers, Asia-Pacific 2023

"He is one of the busiest Senior Counsels in Bombay and takes on some of the best matters." Chambers, Asia-Pacific 2023

Sharan appears primarily in the Bombay High Court and regularly in domestic and international arbitrations. He also appears before other tribunals such as the National Company Law Tribunal and the Securities Appellate Tribunal. Sharan was designated as a Senior Advocate in 2020 and has achieved this distinction at the very early age of 42.

He has been frequently appointed by the Bombay High Court as amicus curiae to assist in matters of public importance or where substantial questions of law have arisen. Sharan has about 14 amicus curiae appointments on various questions of public / writ law and commercial law to his credit.

As of July 2023, Sharan has close to 140 reported judgments to his credit as arguing counsel and about 252 reported judgments in total (excluding arbitral awards). These span across varying fields of public/constitutional law, civil and commercial laws, personal laws and environmental disputes etc. Sharan also regularly appears as counsel in international arbitrations seated in various jurisdictions.

Sharan has also been appointed as an arbitrator in various commercial disputes by the Supreme Court and the Bombay High Court.

Areas of expertise

Alternative Dispute Resolution – Domestic and International Commercial Arbitration

Commercial Contracts

Indian Company and Insolvency Law

Administrative and Public Law (India)

Intellectual Property Law

Securities Law

Commercial Contracts

Sharan has appeared in a plethora of commercial disputes before the Bombay High Court including in matters relating shareholder and joint-venture disputes, foreign investment disputes involving enforcement of investor rights, real estate litigation, actions for recovery of debts and claims for damages arising from breach of contract, disputes relating to specific performance of contracts.

Cases of note:

- Appeared for developers and flat purchasers in disputes relating to contractual disputes under flat purchase agreements regulated by beneficial legislation (MOFA and RERA)
- Appeared in dispute relating to joint development of property and enforcement of rights against third party assignees
- Appeared for a leading commercial bank in a dispute relating to priority in payment from proceeds of substitution of the concessionaire in a national road-tollway project
- Appeared in a dispute between a licensor and licensee of commercial premises which raises the issue of whether the unpaid amount of license fees for the balance lock in period amounts to a contractual debt on which a company petition for winding up is maintainable or a claim in damages / liquidated damages
- Appeared in an insurance dispute involving interpretation of the time limit for filing a written statement of defence under the Indian Civil Procedure Code, 1908 amended in 2015 by the Commercial Courts Act, 2015 in respect of proceedings filed before the enactment of the Commercial Courts Act, 2015
- Appeared for members of royal family of Kuwait in a claim of trespass of immovable property which also raised issues of proper verification of pleadings by an authorized representative of the plaintiff / members of the royal family
- Appeared for an Indian party seeking execution of a decree against assets of the Government of Iran in India
- Appeared for a party seeking anti-suit injunction against against a Russian state-owned entity in respect of proceedings initiated in Moscow
- Appears regularly in recovery proceedings which include important questions of commercial law have been considered such as the effect of a moratorium against a company on recovery under a personal guarantee given by promoters and directors of a company

Recommendations

- *"Sharan Jagtiani enters the rankings in recognition of his thriving practice before the Bombay High Court. He handles a range of commercial work, including securities litigation and real estate disputes."* Chambers, Asia-Pacific 2023
- *"He is one of the busiest Senior Counsels in Bombay and takes on some of the best matters."* Chambers, Asia-Pacific 2023

Additional Informations

Appointments

- 2008 to 2023: Appointed as amicus curiae in 14 matters by the Bombay High Court. 2000 to 2023: Appeared on retainer (till 2010) and thereafter on pro-bono basis in all environment matters, matters of public importance, and court referred mediations.
- 2000 to 2023: Appointed as Arbitrator in more than 15 references.
- Trustee of an education trust established in the name of Sharan's late maternal grandfather. The trust participates in several educational activities like co-sponsoring an international moot court competition since the year 2000 with the Government Law College, Mumbai.

Language

- English
- Spanish

Judgments

A detailed list of reported / reportable judgments in which Sharan has appeared as arguing counsel or as assisting / junior counsel across all courts and tribunals (excluding arbitration) can be accessed at [here](#).

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