



Sharan H. Jagtiani SA*

Year of call: 2000 | Silk: 2020

Email: sharan.jagtiani@39essex.com

"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

Indian Company and Insolvency Law

Sharan appears on behalf of operational creditors, financial creditors, corporate debtors, resolution professionals, liquidators and other stakeholders in corporate insolvency or liquidation proceedings before the National Company Law Tribunal. Sharan has also appeared in heavily contested disputes relating to oppression of shareholder rights and mismanagement of company affairs before the erstwhile Company Law Board and the present National Company Law Tribunal. Sharan is frequently briefed by the office of the Official Liquidator, High Court, Bombay.

Cases of note:

- Appeared in an oppression and mismanagement dispute between the minority and majority shareholders of one of the largest Indian corporate groups
- Appointed as amicus curiae to assist the Court in determining whether leave under Section 446 of the Companies Act, 1956, is required to be taken for proceedings under the Foreign Exchange Management Act, 1999 against the Company (in liquidation)
- Appointed as amicus curiae to assist the Court with respect to the legal and statutory powers vested in the Company Court to order a deposit towards advertisement and publication of a Company Petition
- Appeared in a dispute between the licensor and licensee of a large commercial premises on the scope of a lock-in clause and nature of liability on account of premature termination of a license during the lock-in period
- Regularly represent the Official Liquidator, Bombay High Court in company matters before the Bombay High Court
- Appeared on behalf of a Slovakian co. seeking to establish that proceeds of a wrongfully invoked guarantee do not constitute assets of a company. in liquidation available as part of the general pool of assets
- Amongst a team of lawyers representing the majority shareholder in an oppression and mismanagement dispute before the erstwhile Company Law Board that raised various complex questions of quasi-partnership, family companies, unlocking of inter-company cross holdings, amongst others

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](#).

London

81 Chancery Lane,
London
WC2A 1DD
Tel: +44 (0)20 7832 1111
DX: London/Chancery Lane 298
Fax: +44 (0)20 7353 3978

MANCHESTER

82 King Street,
Manchester
M2 4WQ
Tel: +44 (0)16 1870 0333
Fax: +44 (0)20 7353 3978

SINGAPORE

Maxwell Chambers,
28 Maxwell Road,
WC2A 1DD
04-03 & 04-04, Maxwell Chamber
Suites
Singapore 069120
Tel: +65 6320 9272

KUALA LUMPUR

#02-9, Bangunan Sulaiman
Jalan Sultan Hishamuddin,
50000 Kuala Lumpur,
Malaysia
Tel: +60 32 271 1085

BARRISTERS • ARBITRATORS • MEDIATORS

clerks@39essex.com • DX: 298 London/Chancery Lane • 39essex.com