



Santosh Carvalho

Year of call: 2023

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Santosh's practice spans Commercial and Construction, Administrative and Public, Property, and Civil Liabilities but he accepts instructions across all of Chambers' practice areas. Santosh has a busy court practice and regularly appears as sole counsel in the County Court, High Court and Upper Tribunal. He has been led in the Court of Appeal.

His recent instructions include:

1. Defending an indemnity claim worth ~£25M. Led by Terry Mawchinson KC and Philippe Kuhn.
2. Acting in a shareholder dispute with claims of unfair prejudice and breach of director's duties under the Companies Act 2006.
3. Intervening in the Court of Appeal in Re J (A Child) on behalf of the Children's Commissioner. Concerning a local authority's power to consent to the deprivation of liberty of a child subject to a care order. Led by Steve Broach KC and Jake Thorold.

He holds degrees from the University of Oxford (BCL, Distinction), University of London (LLB, 1:1), and the University of Auckland (Hons). Santosh was a tutor of Tort Law at Birkbeck College, University of London.

Santosh has a deep interest in, and understanding of technology such as AI, Blockchain and the Internet of Things. Having completed a degree in Computer Science and worked at software companies like Salesforce. He understands how disputes on large commercial projects arise, especially in technology context.

Prior to the coming to the Bar, Santosh had a successful career as a Management and Strategy Consultant, advising FTSE 100 companies like Barclays and Vodafone.

Santosh is multi-lingual. He is a native Hindi speaker. He also has conversational Spanish, Marathi, and Konkani skills.

Areas of expertise

Commercial and Construction Law

Administrative and Public Law

Planning and Environmental Law

Civil Liabilities Law

Commercial and Construction Law

Santosh is developing a broad Commercial and Construction Law practice, building on his previous career as a Management and Strategy Consultant, and work in the technology industry.

He was seconded as consultant counsel to Farrer and Co. LLP and advised them on a range of complex commercial litigation matters including contractual disputes, breach of confidence claims, shareholder disputes, and cross-border insolvency claims.

Santosh's recent instructions include:

- Defending a high-value contractual dispute in the R&D sector, including claims of civil fraud, led by David Hopkins.
- Drafting amendments to a defence to an indemnity claim valued at over £25M, led by Terence Mowscheson KC and Philippe Kuhn.
- Advising on the merits of the construction of terms to a private equity contract in a High Court claim valued at ~£1M.
- Advising on the merits of a software sales agreement dispute between Microsoft and its resellers, including unjust enrichment claims and breach of statutory duty.
- Applying for judicial assistance under section 426 of the Insolvency Act in a cross-border cryptocurrency exchange insolvency, involving parallel issues of fraud and breach of director's duties.
- Obtaining an injunction to restrain the presentation of a winding up petition in the High Court.
- Acting for a petitioner in High Court insolvency proceedings to wind up a company despite the substantive objections of the debtor and competing creditors.
- Obtaining relief from sanctions application for late service of the Particulars of Claim in the High Court.
- Advising on the merits of, and drafting, a professional negligence claim against a solicitors' firm for losses arising out of the sale of a company. Led to a successful settlement.
- Advising on the merits of, and draft, a claim against a bank for breaches of statutory, contractual, and common law duties arising from delays to completing a loan transaction. Led to a successful settlement.
- Drafting a claim against a property management company for breach of lease covenants, common law duty, and statutory duty arising out of flood damage to a commercial property. Led to a successful settlement.

During pupillage, Santosh gained deep experience in a variety of commercial disputes including:

- Drafted a skeleton argument for an application for summary judgment on the basis of a complete defence to an alleged negligent misstatement by a company director.
- Drafted a defence to an additional claim made against a sub-contractor for building defects.
- Drafted a defence to an indemnity claim against a guarantor on the basis of a material variation of terms to the guarantee.
- Advised a distributor on the merits of a breach of contract, unjust enrichment, and estoppel claim against its long-term supplier.
- Advised on the interpretation of dispute resolution, jurisdiction, and governing law clauses in an equipment hire dispute.

Santosh gained further experience by marshalling with Justice Andrew Baker in the Commercial Court and observed an interim application in *Arcadia v Bosworth, Hurley & Kelbrick*.

Memberships

- Administrative Law Bar Association (ALBA)
- Commercial Law Bar Association (COMBAR)
- Chancery Bar Association (ChBA)
- Free Representation Unit (FRU)

Qualifications

Education

- 2021-2023: Bar Training Course, University of Law – Merit.
- 2020-2021: Bachelor of Civil Law, University of Oxford – Distinction. Highest mark in Regent's Park College.
- 2017-2020: Bachelor of Laws (assessed at the postgraduate level), Birkbeck College – 1:1 overall and in every paper. Top 5% of the class.
- 2007-2010: Bachelor of Science in Computer Science and Information Systems, University of Auckland, Honours.

Scholarships and Prizes

- Queen Mother Scholarship (Major), Middle Temple (2021).
- Winner, OUP & ICCA National Mooting Competition (2018). Final judged by Hallett LJ, Vice-President of the Court of Appeal.
- Winner, Mooting Prize, Birkbeck College (2019).
- Winner, Mock Trial, Birkbeck College (2019).
- Winner, Moot Competition, Birkbeck College (2018).

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