



Niraj Modha

Barrister & Arbitrator

Year of call: 2010

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"As far as barristers go, Niraj is one of the most approachable. He is measured, technically astute and very highly respected and regarded by his peers." The Legal 500 2023

Niraj is a property, commercial, and construction law specialist. His cases frequently involve issues relating to and crossing over with: contested interests in land; civil fraud; insolvency; professional negligence; disputes between shareholders, partners, and joint venturers; and construction claims relating to infrastructure projects. He acts for a range of clients including property developers, landowners, investors, local authorities, contractors, employers, and multinational conglomerates.

Niraj appears as sole counsel in trials and application hearings in the Business and Property Courts (Chancery and King's Bench Divisions) and in the appellate courts. He also acts as counsel in international arbitration proceedings (both institutional and ad hoc) and represents clients at mediation.

Niraj accepts appointments as an arbitrator. He is a Fellow of the Chartered Institute of Arbitrators and a member of several panels including the CI Arb Business Arbitration Scheme and the Law Society President's Panel. Niraj has been appointed as an arbitrator on more than 30 occasions. He is a contributor to *Pleading in Arbitration: A Practitioner's Guide and Arbitrator's Handbook*, and frequently speaks at arbitration conferences and events.

Areas of expertise

Property and Real Estate Litigation

Commercial Dispute Resolution

Construction, Engineering and Infrastructure Disputes

International Arbitration

Arbitrators

International Arbitration

Niraj practises as counsel in international commercial and construction arbitration. He has experience with court-related arbitration applications including the challenge of awards under ss67-69 Arbitration Act 1996. Niraj's international practice has a focus on India and MENA (particularly the UAE and East Africa).

Cases of note:

- **Confidential (ICC, London)** - claims and counterclaims relating to the delayed construction of an industrial plant (\$350m), on behalf of the contractor.
- **Confidential (ongoing)** - arbitration claim relating to the setting aside of a Psak Din of the Beth Din.
- **Confidential (ICC, Paris)** - arbitration proceedings between an East African government and a European contractor engaged in a road-building project. Claims for an extension of time and costs (\$30m).
- **Confidential (AAA, New York)** - claim by an Asian telecommunications provider against an African mobile telecommunications company under a master services agreement for the provisions of telecommunications software, hardware, and services (\$3m).
- **Confidential (CIArb, London)** - software licensing dispute between licensor and reseller (£1m).
- **Confidential (Hunt Arbitration Service, London)** - franchising dispute relating to an online trading platform.
- **Confidential (LCIA, London)** - claim by engineering consultancy firm for payment in debt or damages for breach of contract following the provision of design and planning services for a brewery.

Recommendations

Niraj is ranked in The Legal 500 in Property and Real Estate Litigation:

- *"As far as barristers go, Niraj is one of the most approachable. He is measured, technically astute and very highly respected and regarded by his peers."* The Legal 500 (2023)
- *"A highly intelligent and careful junior with strong specialist knowledge. Ultra-responsive though very busy. I would not hesitate to recommend him for any property related dispute."* The Legal 500 (2022)
- *"User-friendly and a strong team player."* The Legal 500 (2022)
- *"His attention to detail is superb and he has an ability to grasp difficult and detailed facts quickly. Ability to remain calm under pressure."* The Legal 500 (2021)
- *"Whilst always meticulously prepared, he is also extremely good on his feet."* The Legal 500 (2020)

Memberships

- Fellow of the Chartered Institute of Arbitrators (CIArb)
- Commercial Bar Association (COMBAR)
- International Bar Association (IBA)
- Property Bar Association (PBA)
- Chancery Bar Association (ChBA)
- London Common Law and Commercial Bar Association (LCLCBA)
- Young Arbitration and ADR Forum of the International Chamber of Commerce (YAAF)
- Young International Arbitration Group of the London Court of International Arbitration (YIAG)

Qualifications

Education

- Diploma in International Commercial Arbitration (CIArb), 2015

- BVC (Outstanding), 2010
- GDL (Distinction, first in year), 2009
- Qualified Teacher Status, 2007
- BA (First Class Honours), Robinson College, University of Cambridge, 2006; MA.

Scholarships and Prizes

- Travelling Scholarship in Dispute Resolution (The Worshipful Company of Arbitrators)
- Levitt Scholarship, Buchanan Prize, Lord Denning Scholarship, Lord Haldane Scholarship and Hardwicke Entrance Award (Lincoln's Inn)
- 3 Verulam Buildings Prize for best overall performance on the GDL (City Law School)
- Titular Scholarship and College Prize (Robinson College, University of Cambridge)

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