



Zain Maqbool

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  New Delhi

Practice Areas

Disputes

Sectors

Commercial & Civil litigation

Dispute Resolution (Domestic & International Arbitration)

Insolvency Law

Electricity Law

About

Zain's key focus area is commercial litigation and arbitration. He has experience in drafting pleadings and has been handling litigations in various courts including the Supreme Court of India, High Courts, National Company Law Tribunals, National Company Law Appellate Tribunal and Appellate Tribunal for Electricity.

He also has extensive experience in ad-hoc and institutional arbitrations. He has advised clients and has conducted arbitration proceedings in disputes related to construction contracts, share purchase agreements, escrow agreements, loan agreements, employment contracts etc. He has also represented clients in arbitration-related court proceedings.

He also has extensive experience in handling matters under the Insolvency and Bankruptcy Code, 2016. In addition, he has extensive experience in handling various Commercial Disputes across industry sectors and has been extensively involved in handling matters relating to Company Law(s) and Contract Law(s).

He has been practicing law since 2016. Before joining JSA, he was a senior associate at Economic Laws Practice, Delhi and worked in the chambers of Nakul Dewan, Senior Advocate of Supreme Court of India.

Experience

Some of the key assignments in these areas handled and being handled by Zain amongst others, cover the following: -

- Representing an Indian EPC contractor against a government owned company in an ICC arbitration relating to construction of a private railway line. Issues included quantification (manner and methodology) of damages payable on account of defaults attributable to the employer leading to delay in completion of the project, maintainability of statutory claims pertaining to royalty on minor minerals and various taxes, etc.
- Represented a government owned entity against a leading market player of the energy sector in an arbitration under the Jammu & Kashmir Arbitration & Conciliation Act, 1997 arising out of a power purchase agreement.
- Represented an algorithmic trader against a proprietary electronic trading firm in a domestic arbitration arising out of termination of his services.
- Represented a copper and aluminium manufacturer (a leading market player of this industry) in various litigation matters relating to compliances under the Electricity Act, 2003 and rules framed thereunder.
- Represented a property consultant against defaulters before the NCLT and NCLAT, New Delhi involving various issues under the Insolvency and Bankruptcy Code, 2016.
- Represented an Indian company against a Japanese manufacturer in two Singapore seated SIAC arbitrations. Issues included purchase price adjustment, breach of representations and warranties, indemnity claims, determination of seat, effect of res-judicata and cause of action estoppel.
- Represented the founder promoters of an Indian hospital against a multi-national healthcare conglomerate involved in the business of operating and managing hospitals in two New Delhi seated SIAC arbitrations. Issues included breach of a share purchase agreement, escrow agreement and auditor duties, manipulation of accounts, wrongful acquisition of the company under duress and arbitrability of disputes alleging fraud.
- Represented a decree holder in a dispute relating to the applicability of Arbitration and Conciliation (Amendment) Act, 2015 to proceedings commencing after 25 October 2015 in terms of Section 26 of the said Amendment Act.
- Represented a Belgian shipping company before the Madras High Court for enforcement of an international arbitration award against an Indian company. This matter involved enforcement of four arbitral awards under Section 49 of the Arbitration and Conciliation Act, 1996, aggregating up to an amount of US\$ 125 million (arbitration was seated in London).
- Represented a society of qualified legal professionals to allow practice of foreign law in India.

Memberships

Supreme Court Bar Association

Bar Council of Delhi

Education

B.B.A L.L.B., Symbiosis Law School, Pune

L.L.M., Queen Mary University of London

Languages Spoken

English

Hindi
