

**Rajat Taimni**

**Education:** BA Honours (History), St Stephens College, New Delhi

LLB, Faculty of Law, University of Delhi

MCI Arb: Member, Chartered Institute of Arbitrators

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**Practice:** Admitted to Bar: 2000

Employment: Tuli and Co, Advocates and Solicitors, 2001 till present Designation:

Senior Partner and Head of Practice-Global Dispute Resolution

Core practice is handling litigation and arbitration disputes involving investment treaties, sovereign funds, charterparties, sports and media, white collar issues, employment and harassment, joint venture disputes, railways, aviation and defence contracts

Specializes in ad-hoc arbitrations as well as institutional arbitrations arising from London Court of International Arbitration, International Chamber of Commerce, Singapore International Arbitration Centre, Dubai International Arbitration Centre, China International Economic and Trade Arbitration Commission, JAMS, Indian Council of Arbitration, International Cotton Association and under American Arbitration Association Rules, UNCITRAL Arbitration Rules, ICC Rules of Arbitration and International Centre for Dispute Resolution International Arbitration Rules, among others.

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## **Experience:**

### **Investment Arbitrations**

Acted for an American client in one of the most celebrated cases on investment disputes which is a reported decision *Westacre Investments Inc v The State- Owned Company Yugoimport SDPR (Deutron Asia Pte Ltd) and Others* [2011] SGHC 123 under ICC Rules in Geneva.

Acted for an Indian enterprise in its investment disputes with a sovereign fund in an LCIA arbitration concerning allegations of fraud, misrepresentation, deceit in the acquisition of an Indian wheat trading company

Represented an Indian company in its disputes with a Trinidad and Tobago corporation in an ICC arbitration involved multiple actions and jurisdictions as the company which is under liquidation has been extended sovereign immunity by the Government of Trinidad. The Tribunal decided in our Client's favour awarding damages of US\$45 Million and we represented the Client in the arbitration and subsequent enforcement action

Instructed by a consortium of funds against a managing general agent based out of Florida Miami with registered offices in the British Virgin Islands. The disputed investment of US\$30 Million was made in the financial services sector. The action under American Arbitration Association Rules is pending final adjudication.

Representing a market of International reinsurers pursuing a US\$80 Million subrogated recovery action in relation to a damaged oil refinery involving issues of novation, abandonment and res-judicata.

Advising an Indian general reinsurance company in its disputes in Texas, New York, Oklahoma concerning binding agreements and issues relating to post termination obligations, law of agency as applicable to binder agreements.

### Commercial (General) Arbitrations

Acted on the instructions of prominent foreign investment companies in relation to their layered investments (by way of both shares as well as debentures) in one of India's largest real estate developers. The Firm was successful in safeguarding against repatriation of money and prevented the developer from withdrawing funds through a variety of strategic manoeuvres including acting on proceedings under Section 9 of the Arbitration & Conciliation Act 1996

Representing 2 world renowned athletes concerning their disputes with a broadcasting house over their commentary contracts where sums in dispute were US\$4 Million and issues involved enforcement of non-compete clauses.

Representing a Sports Broadcaster in its disputes with a leading Indian house in court and arbitration concerning the specific performance of the Media Rights contract which was prematurely terminated on grounds of alleged collusion. Sums involved were US\$120 Million and the matter was ultimately resolved by India's highest court passing appropriate directions to balance each parties interests.

Representing and defending a group of entities forming part of a foreign private investment fund which is being sought to be impleaded in an ongoing arbitration between two Indian real-estate construction companies under an agreement to which the investment fund was a stranger.

Represented an Indian Government company in its disputes with the Sukhoi Civil Aircraft Company. The claim involved the crash of a Sukhoi plane in South East Asia and we handled the case both in India as well as in Russia through our associates. The maximum value of the claim under the contract was US\$35 Million.

Represented a French sports and media conglomerate in a damages claim of US\$90 Million against an Indian party concerning television, radio and internet media rights for broadcasting of cricket matches in India. Arbitration was under SIAC Rules in Singapore.

Acted for a Mauritius company in its disputes with a Singapore company over broadcast rights for a league cricket matches under ICDR International Arbitration Rules in proceedings where the claim amount is US\$80 Million

Represent a consortium of foreign investors, through private equity funds, in an

investment dispute with a claim value of c. US\$125 million. Dispute involve failure of consideration, payment of stamp duty, violation of time as essence of contract and wasted costs claim. The dispute is currently in arbitration under the SIAC Rules at the stage of evidence.

Acted for a Danish client in its disputes with its Indian partner involving allegations of embezzlement and siphoning of US\$20 Million in the Indian joint venture. The matter was mediated under the aegis of JAMS and was eventually settled.

Represented South African and Dubai based steel traders in their disputes with international importers concerning liquidated damages under a long term steel contract valued at US\$20 Million

Instructed by an Indo-Netherlands Joint Venture Company in its disputes with a US based Software Company concerning mis-selling, plagiarism and deceptive practices. Proceedings were instituted under the American Arbitration Rules and the claim value was US\$15 Million.

Acted for an Italian Company in its US\$ 110 Million claim with its shareholders in connection with investments made in the dairy sector in Papua New Guinea under ICC arbitration.

Acted for a Finnish paper company against its Indian partner concerning termination of the Indian joint venture and subsequent use of trademark, transferred technology and proprietary information under LCIA arbitration.

Acting for an Indian Client under an ICC arbitration against a Swiss Company where allegations of siphoning and collusion have been made in respect of contracts for setting up renewable energy sources.

### Domestic Arbitrations

Representation in a domestic arbitration presided over by retired Supreme Court Judges where the Adverse Party claims US\$250 Million for material damage and business interruption losses arising from alleged terrorist attacks caused to certain portion of its oil pipeline.

Acting for one of India's diversified conglomerate in its insurance claim for property damage and advance loss of profit arising from the rupture of the pipelines supplying gas to the manufacturing unit.

Acting for an project infrastructure Public Private Partnership in relation to a subrogated recovery action against one of the largest cement suppliers in India for a sum of US\$12 Million

Acted for Private Equity fund in connection with arbitration proceedings initiated between Insurer and policyholder under a trade credit policy covering factoring arrangements which were subsequently demonstrated to be fraudulent.

Acting in an Indian Council of Arbitration proceeding concerning a claim for damages for recall of special wheel rims intended to be used in electric cars and the loss caused due to delay in the launch of those cars.

### Expert Witness

Appeared as an expert witness in international arbitration proceedings in Singapore and Michigan recently on issues involving Indian arbitration law, collateral estoppel, law of trusts, agency and foreign exchange regulations.

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**Notable Published Cases:** I have extracted select court judgments which I have handled and which deal exclusively with arbitration issues and have had a significant impact on the judicial landscape.

*World Sport Group India v Board of Control for Cricket in India (2022 Bombay High Court)*: Represented the successful Petitioner in a proceeding to set aside an award by which the Tribunal had upheld the termination of a media rights agreement in connection with the Indian Premier League (IPL)

*New India Assurance Co Ltd v Khanna Paper Mills* 2022 LiveLaw (Del) 1161: Represented the successful appellant in a commercial arbitration challenge proceeding where the Court formulated principles in relation to contractual interpretation, application and use of expert evidence and principles of indemnity.

*Indian Railways Catering and Tourism Corp v Brandavan Food Products Ltd* 2025 LiveLaw (SC) 1076: Successfully represented the appellant in a challenge to an arbitral award and the Apex Court laid down findings in relation to re-writing terms of a contract by the arbitrator and judicial appreciation of evidence.

*Supermint Exports Pvt Ltd v New India Assurance Co Ltd* 2026 SCC Online Del 1138: Represented the successful party in a commercial arbitration dispute where the Court confirmed principles concerning accord and satisfaction in commercial contracts and limits of interference in arbitral appeals.

*Standard Retail v GS Global Corp* 2020 SCC Online Bom 704: Represented the successful Respondent in the first commercial litigation after the onset of Covid-19 where the pandemic was cited as a reason for seeking injunction against encashment of a Letter of Credit. The Court rejected the request for any injunction and ruled in my client's favour.

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### **Membership and Recognition:**

Ranked in Dispute Resolution Practice in Chambers: Asia Pacific 2025 Ranking

Leads practice ranked 2<sup>nd</sup> Tier in Dispute Resolution: Litigation by Legal 500 Hall of Fame for 2023

Asia Pacific Legal 500 guide 2020 says about the Firm's dispute resolution practice, '*The team at Tuli & Co are very passionate and professional. They have experts in almost all legal practices, which makes them a one-stop shop for us.*'

Published “Year in Review: Insurance Disputes in India” for Lexology

Published India Chapter for Global Legal Insights “International Arbitration” 1<sup>st</sup> Edition

Rajat is a member of ICC India Arbitration Group and Co-ordination Committee.

Member, Consulting Engineers Association of India and Member Steering Committee on Physical Asset Management Team: Risks and Legal Issues

Member, New York International Arbitration Centre

Panel of Mediators and Conciliators, Ministry of Corporate Affairs, Government of India

International Associate, American Bar Association (ABA) and Member ABA Committee on Arbitration

ADR Panel of Arbitrators, Assocham International Council of Alternate Dispute Resolution (AICADR)

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