



# Avichal Prasad

Partner

**LOCATION**

New Delhi

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## Profile

Avichal is a Partner in the New Delhi office of the Firm. He has rich experience of 13 years in diverse areas of law - contract and policy drafting, general corporate and transactional advisory including acquisitions, as well as assisting in commercial dispute resolution. His experience ranges from drafting, vetting and negotiating terms of contracts to drafting pleadings and appearing before courts and arbitral tribunals. The litigation/ arbitration experience gives him an edge in the corporate domain as it provides a broader perspective and deeper insight of the issues involved in transactions.

Apart from his extensive arbitration experience in the Projects, Energy and Infrastructure sectors, Avichal has been advising and representing clients involved in joint venture disputes before Indian statutory forums/ authorities (NCLT, NCLAT, etc.) as well as in domestic and international commercial arbitrations. He also advises clients on risk mitigation measures relating to day-to-day matters considering their legal implications in case of ongoing disputes.

Avichal also has substantial experience in the domain of white-collar crimes. He has been liaising with investigating authorities including Enforcement Directorate (ED), Economic Offences Wing (EOW), etc. on behalf of HNIs as well as representatives of foreign MNCs who are often targeted in high-stake shareholders' disputes, to ensure that no harassment is caused to them. Clients have gained from counter offensive strategies advised by Avichal that have deterred the opposing parties from deploying coercive tactics. Such hands-on experience has enabled Avichal to provide practical and effective solutions to clients involved in multifarious disputes before various judicial fora.

## Expertise

Corporate/M&A

Dispute Resolution

White Collar Crime

Projects & Infrastructure

## Publications

Issues concerning Contracting with the Government, World Bank Group's project - Doing Business in India, 2021

[Contributed to Article on Legal Risks and Exposure for Japanese Businesses in India, India Business Law Journal \(IBLJ\), February 2021](#)

[Shareholder Disputes from a Foreign Investor Perspective](#)

[Analysis of Shareholders' Disputes in India from a Foreign Investor's Perspective](#)

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## Awards & Recognitions

Awarded Urmila Krishna Mohan Srivastava Gold Medal and M. B. Singh Gold Medal for Mathematics in B.A and B.Sc. Examination, University of Lucknow

Legal 500 Asia Pacific 2022 : Next Generation Partner for Projects, Energy & Infrastructure (2016-2018)

Legal 500 Asia Pacific 2022 : Next Generation Partner for Arbitration 2022

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## Education

- LL.B, ILS Law College, Pune University (Merit holder in Law Examination)
- B.Sc, Lucknow University

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## Memberships

- Bar Council of Delhi

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## Select Experience Statement


- Successfully represented a large Japanese corporation in an international commercial arbitration against its Indian JV partner under the aegis of SIAC wherein the claimed amounts were in excess of INR 1500 crores, and the hearings were held in Paris.
- Obtained several favourable interim orders to safeguard the interests of a large Japanese corporation in disputes with its Indian JV partner before Indian statutory forums/ authorities (NCLT, NCLAT, Gurugram criminal courts, Delhi NCR and Andhra Pradesh police, etc.)
- Represented one of the largest public sector undertakings in India in an international commercial arbitration (involving around USD 200 million) in respect of a state-of-the-art refinery project in the state of Odissa. Also represented the client in the subsequent challenge filed before the Delhi High Court.
- Advised a leading French multinational energy and automation digital solutions company on issues arising out of EPC Contracts as well as successfully represented them in arbitration relating to a solar power project in Gujarat.
- Advised an industrialist in connection with allegations of defrauding an Indian public sector bank to the tune of over USD 2.1 billion.
- Assisted a Member of Parliament in connection with an investigation of a deal involving an Indian telecom operator and a Malaysian communication service provider in which a former Union Cabinet Minister was also named as accused.
- Assisted one of the largest public sector gas distribution companies in India in introduction of a 'Uniform Pricing Mechanism' (for various types of gases - APM, RLNG, etc.) for industries in Agra-Firozabad region including drafting gas supply contracts, negotiating with industrialists and representing in litigation.
- Drafted a new legislation to replace the Orissa Development Authorities Act, 1982 and Orissa Town Planning and Improvement Trust Act, 1957; to harmonize and ensure consistency with the Constitutional Amendments relating to Panchayats and Municipalities.

- Assisted one of the largest Indian government hydrocarbon exploration and production corporations in the USD 2.475 billion acquisition of a foreign company having 10% stake in a Mozambique gas field including assessing the impact of cases pending against an Indian conglomerate.
  - Assisted a client in acquisition of a 2\*20 MW solar power project in Madhya Pradesh in 2 steps - (i) housing of the assets in a SPV and (ii) acquisition of such SPV.
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## Industry Presence

- Speaker at a Conference on EPC Contracting - Damages in EPC Contracts, organized by Solar Quarter and First View (Intelligent Business), 2017
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