

VAIJAYANT PALIWAL

Address: 1296 Sector A, Pocket B & C, Vasant Kunj, New Delhi - 110070,

Email: vaijayant@protonmail.com, Phone: +91-9910289185

WORK EXPERIENCE

April 2020 – Present; Principal Associate at Shardul Amarchand Mangaldas & Co.
April 2018 – March 2020; Senior Associate
May 2016 – March 2018; Associate

Insolvency and Bankruptcy Practice

- I practice exclusively in the insolvency and bankruptcy practice group at the firm. The insolvency and bankruptcy practice group is recognized as band 1 in Restructuring and Insolvency by Chambers & Partners, 2021; Tier 1 for Restructuring and Insolvency by The Legal 500, 2020-21; Tier 1 for Restructuring and Insolvency by IFLR1000 Financial and Corporate, 2015-21; Highly recommended for Restructuring and Insolvency by Asialaw Profiles, 2021.
- I personally have had the good fortune of being involved in the biggest insolvency resolution processes in India and have been involved in shaping the law since the time it was brought into force.
- I have advised resolution professionals, liquidators, financial creditors, and other stakeholders in the insolvency resolution process on the nuances of running the process or on the bidding process.
- I regularly argue matters before the Hon'ble High Court, NCLAT and the NCLT. I have gotten several orders in favor of the clients at various forums and most importantly clients have been happy and willing to trust the responsibility of arguments on to me.
- I have drafted Petitions for initiation of proceedings under the Insolvency and Bankruptcy Code, 2016 on behalf of Financial Creditors, Operational Creditors and the Corporate Debtor itself, I have also drafted Appeals on specific questions of law to be filed before the National Company Law Appellate Tribunal and thereafter before the Hon'ble Supreme Court. I have also drafted Resolution Plans, opinions on the Code and minutes of the committee of creditors meetings.

March 2015 – May 2016 Independent Legal Practice

Commercial Advisory, Transactional and Litigation

- Represented Foreign Public Listed Company in a case involving default in Tax Deducted at Source. Defended criminal prosecution launched against the company, and procured compounding orders. Prepared opinions and advised on applicable provisions of Gratuity Act and Real Estate transactions.
- Undertook Due Diligence on behalf of Foreign Company. Procured data from various countries regarding financial health of other target foreign companies and prepared analysis.
- Drafted and advised on Commercial Contracts. Work restricted to not only drafting of contract but also advising on Legal implications, protection of Intellectual Property and Licensing of Trade Mark.
- Assisted Start-ups in establishing their company and advising on issues relating to Intellectual Property, compliance under the Information Technology Act and providing general legal counsel.
- Filed Trade Mark Applications and prepared replies to Objections raised by Trade Mark Registry.

Feb 2014 – March 2015 International Law Affiliates

Litigation, Drafting and Commercial Advisory

- Competition Commission of India – Drafted complaints/information, objections/replies to Reports of Director General. Assisted in the arguments before the Competition Commission. Prepared and filed information of anti-competitive practices with the Fair Trade Regulator. Assisted the Investigation wing (Director General) during investigation.

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- Aviation – Areas of practice included dispute resolution, consumer matters & rendering legal opinion. Clients serviced included Air France, KLM Royal Dutch Airlines, Delta Airlines. Handled independent charge of these matters.
- Arbitration – Prepared arbitration petition, applications under section 9 & 11 of the Arbitration and Conciliation Act, attended arbitration proceedings.
- Cross Border Advisory – Prepared advice to foreign companies regarding the available entry routes into India. Advised Indian subsidiary on method to call Board Meetings, remove Indian Directors and appoint Foreign Directors.
- Litigation – Appeared in Writ Petitions, Specific Performance Suits and Applications seeking interim measures before the Hon'ble High Court. Handled independent charge of matters before District Courts and Consumer Disputes Redressal Forums.

Feb 2013 - Feb 2014 Basilica Law Firm- Ms. Shobha Gupta [Advocate on Record]

Litigation, Drafting and Court Practice

- Drafting: Writ Petitions, Special Leave Petitions (Civil and Criminal), Applications (Civil and Criminal), Writ Petitions (Civil and Criminal), Suits, Appeals (Civil, Criminal and Company), Counter Affidavits, Rejoinders, Contempt of Court Petition, Letters Patent Appeal.
- Court Practice: Supreme Court of India, Delhi High Court, Appellate Debt Recovery Tribunal and Debt Recovery Tribunal.

Aug 2011 – Jan 2013 HPACS Consulting- Mr. Hemant Paliwal (Managing Partner)

Company Law, Commercial Transactions and Court Practice

- Company Law – Drafting Compounding applications for Company Law Board and Regional Director, Registrar of Companies. Formation of new companies. Appeared before the Company Law Board.
- Intellectual Property Rights – Filed and Prosecuted Trademarks, Drafted opinions based on search reports for Trademarks.
- Insurance Law– Appeared before National Consumer Disputes Redressal Commission, State Commission & District Forums. Drafted Written Statements for filing before Insurance Ombudsman.
- Recovery of Money – Prepared and filed summary suits for recovery and suits under the Negotiable Instruments Act, 1881. Argued and pursued matters before the Trial Courts.
- Drafting & Vetting – Commercial Contracts, Memorandum of Understanding, Lease Deeds, End User License Agreements, Privacy Policy, Cease & Desist Notices, Lease Termination Notices, Recovery Notices, Partnership Deeds.

EDUCATION

- 2011:** **University School of Law and Legal Studies, Guru Gobind Singh Indraprastha University, New Delhi, India**
B.A. LL.B. (Hons); First Division (61%)
- 2009:** **Asian School of Cyber law and Government Law College, Mumbai, India**
Diploma in **Cyber Laws**, First Division (65%)
- 2005:** **Delhi Public School, Mathura Road, New Delhi**
Senior School Certificate Examination conducted by the Central Board of Secondary Education (Grade- 76%)
- 2003:** **APJ School, Gautam Budh Nagar, Uttar Pradesh, India**
Secondary School Examination conducted by the Central Board of Secondary Education (Grade- 86%).