

Rishab Gupta

CALL: 2007 (INDIA); 2008 (NEW YORK); 2021 (ENGLAND AND WALES)

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Overview

Rishab is a triple-qualified English barrister, India advocate, and New York lawyer with over 15 years' experience in all forms of international disputes. He is based in Mumbai (India) and is considered as one of the leading arbitration lawyers in the world and is regularly ranked as a 'global leader' in the field of international arbitration. He was named in the 2023 edition of the Global Arbitration Review's (GAR) 45 under 45 global list of world's leading international arbitration practitioners below 45 years of age, making him the only India based practitioner to have ever been included in this ranking. He is also ranked by Chambers and Partners in 'Band 1' (highest band) of English barristers practicing in the field of arbitration in Singapore.

Prior to joining Twenty Essex, Rishab worked at major international law firms: Allen & Overy in London, Debevoise & Plimpton in New York, and Shardul Amarchand Mangaldas & Co. in India (where he led the firm's arbitration practice in Mumbai). Rishab regularly represents clients in commercial arbitrations brought under the auspices of a variety of institutional rules. His experience includes arbitrations seated in London, Singapore, Hong Kong, New York, Washington D.C, Singapore, the Hague, Stockholm, Delhi, Mumbai, Sudan and Rwanda, conducted under the LCIA, ICC, SIAC, HKIAC, ICDR, SCC and UNCITRAL. The subject matter of these arbitrations have included long-term energy concessions, joint venture agreements, construction contracts, and intellectual property, among others and they have involved common law, civil law and Islamic law systems.

Rishab is also vastly experienced in investment arbitration. He has acted in over a dozen investment arbitrations under most rules,

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Publications

- "Study on Investor Perceptions towards India's Investment Treaties", Centre for Trade and Investment Law Research Paper, 2021.
- "Cultural Considerations in Advocacy: India", in The Guide to Advocacy, GAR, 2020 (co-author with Tejas Karia).
- "Challenges to Arbitrator Appointments under the Amended Indian Arbitration Act", in Arbitration: Resource Book, LexisNexis, 2017.
- "Choice between Interim Relief from Indian Court and Emergency Arbitrator", in KluwerArbitration blog, 10 May 2017 (co-author with Aonkan Ghosh).
- "Who's the most influential arbitrator in the world?", Global Arbitration Review, 2016 (co-author with Katrina Limond) (nominated for Global Arbitration Review's annual award for "best innovation" in the field of arbitration).
- "Principle of Contributory Fault after Yukos", Dispute Resolution International,

including particularly ICSID and UNCITRAL. He is instructed from a wide range of regions, having acted for claimants and respondents

Lectures / talks

A list is available on request.

Education

- University of Oxford, Balliol College: DPhil (PhD) (Rhodes Scholar)
- Columbia University School of Law: J.D. (Harlan Fiske Stone Scholar and HSBC Scholar)
- London School of Economics: LL.B (First Class)
- Stephens College, Delhi: B.A. in Mathematics (First Class)

vol. 9, no. 2, 2015 (co-author with Judith Gill KC). "Gas Price Review Arbitrations: Certain Distinctive Characteristics", in The Guide in claims arising in Europe, Africa and Asia. Related to his experience in international arbitration, an important part of Rishab's commercial litigation experience is arbitration-related court proceedings, particularly before Indian courts. Rishab has been involved in some of the largest set aside and enforcement proceedings in India. Rishab's practice also entails significant work and expertise in public international law. This draws on Rishab's significant academic experience in public international law, including a DPhil (PhD) on international investment law from Balliol College, Oxford University (where he was a Rhodes Scholar) and various teaching assignments in universities across the world, including in the UK, Japan and India. He also regularly sits as an arbitrator.

Arbitration committees

Rishab has served on the arbitration committees of most of the major arbitration institutions, including:

- The young practitioners committees of the SIAC, LCIA and HKIAC.
- Co-Chair of the young practitioners' committee of the Mumbai Centre for International Arbitration.
- SIAC reserve panel of arbitrators.

Investment treaty arbitrations

- *Gokul Das Binani and Madhu Binani v Republic of North Macedonia* (PCA Case No. 2018-38): Lead counsel representing the claimants in an UNCITRAL arbitration administered by the PCA brought under the India - North Macedonia BIT against the Republic of North Macedonia in relation to investments made by the claimant in the mining sector.
- *Shokat Mohammed Dalal v United Arab Emirates*, ICSID Case No. ARB/19/10: Lead counsel representing the claimant in an ICSID arbitration brought under the UK-UAE BIT against the government of the UAE in relation to certain investments made by the claimant in the UAE real estate sector.
- *JKX Oil & Gas plc, Poltava Gas v and Poltava Petroleum Company JV v Ukraine* (PCA Case No. 2015-11): Representing the claimants in their investment treaty claims against Ukraine. The matter included securing an SCC emergency arbitrator order against Ukraine and enforcing it in a Kyiv court.
- *Hrvatska Elektroprivreda d. v Republic of Slovenia* (ICSID Case No. ARB/05/24): Representing the Republic of Slovenia in an ICSID arbitration under the Energy Charter Treaty and another bilateral treaty defending claims brought by Hrvatska Elektroprivreda d.d., the national electricity company of Croatia, and relating to the operation and ownership of a nuclear power plant.
- *British Caribbean Bank v The Government of Belize* (PCA Case No. 2010-18): Representing British Caribbean Bank Limited in its successful claim against the Government of Belize under the UK Belize Bilateral Investment Treaty.
- *Korea Western Power Company Limited v India* (PCA Case No. 2020-06): Representing the claimant in an UNCITRAL arbitration administered by the PCA brought under the India-Korea BIT against India, concerning claims of breaches of

India's FET and MFN obligations.

- Advising a Singapore based technology company in an investor-State dispute against the Government of Bangladesh under the Singapore-Bangladesh BIT.
- Advising a UK listed company in a potential investor-State dispute against the Government of India under the India-UK BIT.
- Advising a Singapore based mobility company in an investor-State dispute against the Government of Rwanda under the Singapore-Rwanda BIT.
- Advising a large Japanese manufacturing company in a potential investor-State dispute against the Government of India under the India-Japan FTA.
- Advising one of the world's largest banks in a potential investor-State dispute against the Government of India under the India-UK BIT.
- Advising a group of UK based investors in a potential treaty proceedings against a Middle Eastern country.

Commercial arbitrations

- One of the world's largest infrastructure companies in a Singapore seated arbitration under SIAC Rules relating to indemnification claims arising out of equity investments made in Indian road asset project companies.
- Leading Canadian private equity firm in a Singapore seated arbitration under SIAC Rules relating to indemnification claims arising out of investments made in Indian road assets.
- Standard & Poor's Global Ratings in a Singapore seated arbitration against its Indian joint venture partner Bombay Stock Exchange, under SIAC Rules.
- A prominent Indian company and its Singaporean subsidiaries in the oil & gas sector in India, in relation to a Singapore seated arbitration initiated against them by an international conglomerate having diversified business interests in coal, oil & gas, commodity and dredging, under SIAC Rules.
- A leading Mauritius company, in relation to a London seated arbitration with its joint venture partner for a project involving oil & gas drilling and well construction in Nigeria, under LCIA Rules.
- Powerica Ltd (an Indian company) in two separate London seated ICC arbitrations, against Neilan International (a Sudanese company) and Sudan Thermal Power Generating Company.
- S&T Interiors and Contracting (an Oman based company) in a Kazakhstan seated ICC arbitration against Astana Property Management arising out a construction contract.
- Kalpataru Projects International Limited (an Indian company) in an UNCITRAL arbitration seated in Kigali against Rwanda Energy Group.
- A leading global engineering and construction company with a diversified portfolio of projects in multiple a Delhi seated arbitrations against state run agencies involving national highway projects and projects for electrification of railway lines.
- A leading technology and development company in a Mumbai seated arbitration against a state-run shipping company.
- A global natural resources and technology conglomerate operating across India, South Africa, Liberia and Namibia in relation to a Delhi seated arbitration against a state-owned oil and natural gas company.
- A Private Port Terminal Operator in charge of a BOT project in an India seated arbitration against a major port authority situated in Southern India.
- A leading paper manufacturing company in a Gujarat seated arbitration against state-run insurance companies in relation to disputes arising out of standard fire and special perils policy.
- A state-owned company involved in the business of electrical power generation in Gujarat in arbitrations against state-run insurance companies.
- Byju's in an arbitration seated in Singapore against a leading private firm under the SIAC Rules in relation to sale of shares held by it in the Indian entity.
- Byju's in an arbitration seated in Singapore against its investors and shareholders under the SIAC Rules in relation to a dispute arising out of the shareholders' breach of the Shareholders Agreement.
- A Delhi-based IT services company in a AAA arbitration seated in New York against a US consumer services company.
- An Indian company in a Delhi seated ad-hoc arbitration against the National Highway Authority of India relating to demonetisation of Indian currency.
- One of the world's largest re-insurer in a Mumbai seated ad-hoc arbitration against an Indian insurance company.

- An Indian shipping company in a Mumbai seated ad-hoc arbitration arising under a charterparty, against a Ukrainian company.
- A leading steel manufacturing company in a Surat seated arbitration relating to cargo handling and port services in India.

Litigation before Indian and English Courts

- Representing Byju's in global proceedings, including before courts/ tribunal in the US, Singapore, and India.
- Vikram Bakshi and Bakshi Holdings Private Limited in various proceedings against McDonald's India Private Limited before the National Company Law Tribunal, the High Court of Delhi and the Supreme Court of India.
- Betamax Ltd (a Mauritius based company) in enforcement of its SIAC arbitration award in India, before the Bangalore High Court and Supreme Court of India.
- M3nergy Berhad (a Malaysian company) in its Mumbai seated ad hoc arbitration against an Indian government entity, and related proceedings before the Bombay High Court.
- Norscot Rig Management Private Ltd (a Mauritius based company) in enforcement of its ICC arbitration award before the Bombay High Court.
- Advising Mahavir Port and Terminal Private Limited in its successful appeal before the Court of Appeal in London against an injunction obtained by Orexim Trading from the Commercial Court.
- Advising a Mauritius based company in its proceedings before the Commercial Court in London for enforcement of an ICC arbitration award against a large Indian conglomerate.
- ArcelorMittal Nippon Steel India Ltd in several proceedings, including references to arbitration, interim relief applications and suits before the Surat district court, Gujarat High Court and Supreme Court of India.
- ArcelorMittal North America Holdings LLC in enforcement proceedings with respect to a Minnesota seated ICC award before the Bombay High Court.
- *Manek and others v IIFL Wealth (UK) Ltd and Others (Claim CL-2017-000625)*: Representing IIFL Wealth (UK) Limited (IIFL), the UK arm of an Indian financial services company, in defending a claim for damages currently pending before the Commercial Court in London.
- *AMNS Middle East FZE v LIQS Pte Ltd (Claim CL-2021-000175)*: Representing AMNS Middle East FZE, the Dubai commodities trading arm of a joint venture between the ArcelorMittal Group and Nippon Steel Corporation in its claims against LIQS Pte Ltd, a Singapore-based entity of the Liberty Steel House group, currently pending before the Commercial Court in London.
- Represented AMNS and AMNS Middle East FZE in a claim filed against them by EXIM London in the Commercial Court in London under a Term Facility agreement.

Recommendations

Rishab is a very hard working highly intelligent lawyer with clarity of thinking and expression and his attention to detail is first-class. A consummate lawyer and clever tactician who is always prepared to roll his sleeves up and work with the team – phenomenal. [The Legal 500 UK Bar 2024](#)

His advice has been thorough. He goes through every document, prepares for multiple scenarios and also advises on dispute prevention. [Chambers Asia-Pacific 2024](#)

He is highly rated for his international arbitration expertise. [Chambers Asia-Pacific 2024](#)

Among all the practitioners I've worked with in the recent past in India, the quality of Rishab's work, advice and preparation are absolutely top-notch. [Chambers Asia-Pacific 2024](#)

An 'outstanding lawyer'. [Chambers Global 2022](#)

Global thought leader. [Who's Who Legal 2022](#)

Future leader of arbitration. [Who's Who Legal 2018, 2019 & 2020](#)

Global leader. [Who's Who Legal 2020 & 2021](#)

Top 100 Lawyers. [Forbes India Legal Powerlist, 2021](#)

Recognised in 'Top 40 lawyers in India under 40'. [Legal Era 2019](#)

One of the 40 "Young Legal Eagles" of the Indian Legal Ecosystem. [BW Legal World 40 under 40](#)