



Ajoy Roy



Designation | Partner

Practice | Corporate & Litigation

Year of Enrollment | 1992

Professional Memberships | Delhi High Court Bar Association

Nationality | Indian

Area of Expertise | Anti-dumping, Safeguard, Anti-subsidy & Countervailing Duty, Anti-trust Litigation and Customs & Excise (Indirect Taxes)

Roy, Ajoy is the Partner of the Firm. He is with the Firm since 1994. He is a graduate from Delhi University (1988) and has a LLB Degree from Delhi University (1991).

Ajoy has had a wide range of work experience that includes Anti-dumping, Safeguard, Anti-subsidy & Countervailing Duty & Anti-trust Litigation, Disputes Resolution, Company Law Board, litigation in Infrastructure Projects involving Telecom Projects, Road Projects & Power Projects, Mergers & Acquisitions; Shareholders Disputes, Banking Transactions Disputes (including DRT), Securitisation Disputes; Tender related Disputes; Competition Law and General Corporate Advisory Works.

Ajoy's main areas of practice and strength are Anti-Dumping & Safeguard Investigation, and he has also represented various National & International clients before the Designated Authority, Ministry of Commerce, Government of India, in the Appeal before CESTAT, High Court and the Hon'ble Supreme Court of India.

Ajoy has undertaken extensive trade and trade remedies advisory and representational services for corporate clients. Ajoy has also advised the Ministry of Commerce, Government of India on issues pertaining to various Anti-Dumping Investigations before the World Trade Organisation.

Ajoy's experience includes hard core litigation across India in several practice areas such as Banking & Finance, Infrastructure, Telecom, Power, Mining, Real Estate, Merger & Acquisition, Pesticides Issues and he has lately been advising various clients both nationally and internationally on general corporate advisory works.



Work Experience

Anti - Dumping & Safeguard Investigations

- Written Submissions on behalf of **M/s Merck KgaA**, Darmstadt, M/s Merck Japan Ltd., M/s EM Industries Inc, USA and Merck Ltd. – India with respect to anti dumping investigations against imports of Mica Pearl Pigment from China, Japan, USA and EU were prepared and submitted to the Designated Authority, Directorate of Anti Dumping and Allied Duties. This was in connection with detailed questionnaire forwarded by the Authority to the client named above.
- Represented the **Fonterra Group** and the New Zealand Dairy Board Butter Oil- Anti Dumping Investigations into import of anhydrous milk fat/ butter oil from New Zealand. Involved in drafting documents/opinions/advice and developing future strategies in the matter with respect to submissions and litigation and appearing on behalf of the client in the public hearings and interaction with the designated authorities.
- Acted for **BASF AG, Germany**, regarding Vitamin C imports into India and also regarding Catalysts and enzymes
- Advised **Exide Industries**, with regard to preparing Memorandum on Request for Consultation by Bangladesh concerning Anti dumping Measures on Batteries from Bangladesh.

A presentation was made on the same to the Ministry of Commerce and Industry. This was in connection with the issue raised by Exide Industries (domestic industry) before the Indian authorities where there has been an imposition of anti dumping duty on the like product of batteries.

- Represented **Alkali Manufacturers Association of India (AMAI)** against American Natural Soda Ash Corporation (ANSAC), in the Monopolies & Restrictive Trade Practices Commission, which has by way of an interim order restrained ANSAC from selling Soda Ash in India.
- Advising on behalf of **TISCO, SAIL and ESSAR** for levy and imposition of Anti Dumping Duty for levy on imports from Venezuela, South Africa, UK, USA, Thailand etc.
- Represented **Ispat Industries** with regard to Anti-Dumping issues of Hot-Rolled Coils. Was involved in injury analysis and price issues under Anti dumping laws for the client
- Represented **Tata Chemicals Vs. Union of India** against the finding of the designated authority with regard to import of Metcoke from China concerning Anti Dumping Law.
- Represented various **Indian Refractory Manufacturers** with regard to imposition of Anti Dumping Duty by designated authority against the import of fuse magnesia from China.



Handled Various Anti Dumping Matters before the Designated Authority, In Appeal to the Cegat, High Court and the Supreme Court of India

- SAIL v/s CEGAT & Ors. (Supreme Court)
- ESSAR Steel v/s CEGAT & Ors. (Supreme Court)
- Designated Authority v/s CEGAT & ors. (Supreme Court)
- Tata Chemicals v/s Union of India & ors. (Supreme Court)
- Indian Metal Ferro Alloys v/s Union of India & ors. (High Court & Supreme Court)
- Indian News Print Manufacturers Association v/s Union of India
- Indian Refractories Manufacturers Association v/s Designated Authority (CEGAT)
- Jai Corporation & ors. v/s Designated Authority (CEGAT) acted on behalf of SAIL, TISCO, Lloyds Steel and ESSAR Steel.
- Bombay Chemicals v/s Designated Authority (acted for Gujarat Apar Polymers)
- Exide Industries Limited Vs Union of India (CEGAT, High Court and Supreme Court).

Corporate Litigation

- Represented **Coca Cola India** in the "Pesticides Issue" in various courts in India and in the Kolkata High Court. The Firm represented the client to quash the various PILs that were lodged in courts around the country and to counter the Joint Parliamentary Committee set up under the aegis of the Government of India. The current status of the issue is that JPC deliberations are continuing. The JPC has stated that it will endeavour to bring out its report by the end of this year.
- Represented **Coca Cola India** in Litigation with regard to the "Ground Water" issue. The Firm challenged the Show Cause Notice on behalf of the client in an Original Petition filed before the Kolkata High Court.
- Represented before the High Court of Chancery Division, UK, with regard to derivative action brought in by one of the Non Resident promoter of the Company.
- Represented NR Dongre with regard to the dispute with Deepak Shriram in the Company Law Board with regard to management and control of **Shriram Piston and General Sales Ltd.**
- Represented **SP Oswal** in its Group Companies in various forums including Delhi High Court and CLB. Various domestic arbitrations for IOC including constructions disputes
- Represented the management of **Polaris Software** regarding employees' dispute.
- Representing **Kodak India Ltd.** for various disputes in various forums



- Various disputes and litigation for the **Indian Oil Corporation Ltd.** a Fortune 500 Company.
- Represented Telephone Cables challenging **BSNL** about the criteria for allocation with regards to a tender for cables.
- Represented **Fresenius Kabi** against The Directorate of Health regarding a Notice Inviting Tender (NIT)
- Represented **Tata Sons Ltd.** in disputes with Mr. Ajit Kerkar and Group over Control of Taj Group of Hotels.
- Represented **Spectrum Power Generation Limited Vs Spectrum Power USA**, High Court, Delhi and Supreme Court of Indian.
- Represented **Exide Industries Ltd.** in its various disputes in different fora in India.
- Represented **Ranbaxy Laboratories Ltd.** in its various disputes in different Courts in India.
- Represented **International Finance Corporation, Washington** in its various disputes in different fora in India.

Telecom Sector Litigation

- Bharati Televenture (before High Court at Delhi & TRAI)
- HFCL-Bezeq Limited (Supreme Court proceedings for Basic Bid)
- Basic Teleservices (before the High Court at Delhi)
- Modi Korea Telecom (before the High Court and TRAI)
- HFCL Limited (before TRAI and High Court)
- Air Cell (before TRAI)

Road Litigation

- Represented a **Malaysian infrastructure construction company** regarding dispute under the concession agreement with NHAI.
- Successfully represented the **NOIDA Toll Bridge Company Limited** in its litigation with NCR Land Development Limited, a company whose land was acquired by the Government of Delhi and on which the NOIDA – Delhi Toll Bridge was constructed. This litigation was undertaken in the Delhi High Court as well as the Tis Hazari Courts.

Mergers & Acquisitions

- Demerger Arrangement between **HCL Technologies Limited** (Resulting Company), HCL Infosystems Limited (Demerged Company) and HCL Infinet Limited (Transferee Company), under a "Scheme of Arrangement"
- Scheme of arrangement and amalgamation for **Britco Foods Ltd.** with Hindustan Coca-Cola Bottling co. Pvt. Ltd., Delhi High Court.
- Represented **JK Industries**, Vikrant Tyres and JK Agri Industries
- Scheme of arrangement of **J.K. Sugar Ltd**



Family Disputes & Restructuring

- **Oswal family** disputes & proceedings – before Company Law Board
- **Dharmapal Satyapal Premchand Family** restructuring and settlement.

Domestic Arbitrations

- Represented **Tata Sons Ltd** in the arbitration dispute between Vayudoot.
- Represented **Domino's India** with regard to dispute with their sole franchisee in India.
- Represented **Gujarat Electricity Board** with regard to dispute with their prospective bidder under our tender.
- Represented **Wind Power Ltd** with regard to a turn-key project against Goyal Gases.
- Represented **Asea Brown Boveri Ltd. (ABB)** in a Building / Engineering construction contract with International Engineering Projects Consultants Ltd.
- Represented **Oil & Natural Gas Commission (ONGC)** in a drilling contract in the State of Jharkhand with Essar Oil Ltd.
- Represented **Damodar Vally Corporation (DVC)** in a supply contract with Graphite India Ltd.
- Representing **Calcutta Haldia Port Road Co. Ltd. and National Highways Authority of India (NHAI)** in a major dispute with Haldia Port connectivity project against CHEC-HCIL (JV).
- Representing **United Infrastructure Resources Pvt. Ltd.**, (a Malaysian Company) in one of the first BOT Project in India, with respect to a dispute relating to 'Nellore Bypass' Project against National Highways Authority of India (NHAI).
- Representing **PWD, Mizoram**, in a dispute relating to Improvement and Upgradation of certain Sections of Roads in Mozoram, against the Bhageerathi Engineer Ltd. (BEL) and Ashok Buildcon. (A World Bank funded Project)
- Representing **GISIL and Rajib Saha (Promoter)** in a dispute with one of its Shareholder Paul Berkowitz relating to the allotment of shares.
- Representing **GAS Authority of India Ltd. (GAIL)** in a dispute relating to supply contract of wax against Marcus Oil.
- Representing **Tata Steel Ltd.** in a dispute relating to material supply contract with Natural Resources Pte., Singapore.



- Representing **Kotak Mahindra Bank** and **Kotak Securities Ltd.** in various property related issues.
- Representing **Indian Oil Corporation (IOCL)** relating to a construction contract with respect to the Kandla Bhatinda Pipelines (Jaipur and Sidhpur).
- Representing **ICICI** before the Law Secretary in a dispute relating to invocation of bank guarantee against Bank of India.
- Representing **Intertoll** a joint venture of South African company and Indian entity in dispute relating to NH-2 & NH-24 and NH-8 against NHAI.

Competition Law Regulatory Practice:

- Represented **ABB**, Thermax Ltd., Universal Generix, Titan Industries, **TISCO** with regard to Restrictive and Trade Practices, Vineet Nayar Vs Ross Perrot (Delhi High Court) and HCL Ltd. Vs Ross Perrot Group
- Represented **Tata Chemicals Ltd.** In DGIR Vs. Tata Chemicals and Ors., MRTP Commission, an action by the Director General (Investigation & Registration) of the MRTP Commission inquiring into allegations of cartelisation against Indian soda ash Manufacturers.
- Represented **ABB**, Thermax Ltd., Universal Generix, Titan Industries, **TISCO** with regard to Restrictive and Trade Practices

Debt Recovery Practice

- Represented **ICICI**, a leading financial institution in India, IDBI, Bank of Maharashtra, Bank of Rajasthan, UCO Bank, SBI, IndusInd Bank, EXIM Bank across the country regarding disputes on loan agreements and debt recoveries.
- Represented **ICICI Bank Limited** in various litigations challenging Daewoo Motors India Limited and its parent company Daewoo Corporation Korea
- Advising **IndusInd** on the challenge to the spin-off Daewoo Motors in Korea