

Naveen Agnihotri

Year of Call: 2001

Practice Summary

Naveen provides strategic legal advice to those operating in the commercial, banking and property sectors. He is an experienced international disputes lawyer.

His clients include corporations, individuals, regulatory bodies and governments.

He also represents parties as Senior Legal Counsel at arbitration and mediation.

As an advocate, Naveen has appeared at a wide range of courts and tribunals in England as well as abroad. He has knowledge of practice in both common law and courts with civil codified rules.

He has conducted numerous complex cases, including a successful 12-day High Court trial.

He has particular expertise in property disputes that are intertwined with issues relating to business and finance (chancery).

Tech venture capitalists, founders, investors and influencers operating in the virtual assets space (crypto), DeFi and blockchain, as well as Web.3 - seek out Naveen's expertise on regulations and market conditions in various jurisdictions.

Naveen has advised foreign governments and trans-national organisations on legal reform, helping to ensure effective and enforceable legislation and related rules.

He is a registered practitioner with full rights of audience in the courts at Dubai International Financial Centre (DIFC), Abu Dhabi Global Market (ADGM), Qatar International Court (QICDRC) and Astana International Financial Centre (AIFC).

Naveen can receive direct instructions from lawyers, businesses or individuals based outside of the UK.

Naveen's commercial practice encompasses advocacy and advisory work across a broad range of areas, including financial services, insurance, commodities, infrastructure, international trade,

telecommunications and media.

He has represented banks and blue-chip corporates involved in high-value litigation globally.

Naveen has adjudicated upon the following disputed matters:

- $653m claim by finance brokerage against its Chief Executive for misappropriation of funds.
- $187m private guarantees unpaid to a national bank under credit facilities agreements.
- $63m claim by branch of a Cayman Island company, specialising in computer systems and software. Dispute had already been through an ICC arbitration and several courts in the USA.
- $61m claim by bank against an investor who alleged fraud.
- $45m claim against a French company for non-payment of commission under an agency agreement.
- $35m claim by bank against the spouse of a debtor for guarantees provided under a Murabaha (Sharia compliant) facilities agreement.
- $35m claim by former MD against company for vicarious liability and immunity from suit in foreign proceedings.
- $30m counterclaim brought by multiple heirs to an estate for unfinished construction.
- $27m negligence claim against court appointed receivers by an offshore creditor.
- $21.5m claim against several defendants for misappropriation of funds using offshore companies.
- $14m claim by an investor for termination of delayed real estate projects.
- $12m claim against bank in an infrastructure dispute – main roadway between two countries.
- $12m claim out of a contract value of $142m plus $5m compensation by a multi-national company for breach of contract.
- $9m claim for unfit goods and counterclaim for $24m for non-payment of contractual sums.
- $9m claim for unpaid shares following transfer.
- $8.5m claim against multiple defendants for breaches of stock exchange and commodities authority rules.
- $7.8m claim by bank against an individual who counter-claimed for $8m for breach of terms contained in credit facilities. Joinder of investment trading brokerage.
- $7m claim by Hong Kong contractor against sub-contractor for construction of a national data centre.
- $6.5m claim by bank for unpaid loans.

$5.5m gas injection project – referred to arbitration.

$5m claim by Chinese contractor for return of performance bonds from a finance house.

$5m claim for ‘unjust enrichment’ following forfeiture of commercial property during pandemic.

$4.25m claim against co-Partner for expending company funds without consent.

$4m claim by sub-contractor for onshore oil facility.

$3.5m claim by individual against a bank for honouring fraudulently obtained cheques.

$3.5m claim by contractor for unpaid invoices on development.

$3.2m claim against an exchange house for manipulation of a trading account.

$3 million theme park construction contract – one third outstanding.

$3m claim plus return of a performance bond – construction dispute. Engineer and consultant joined into proceedings.

$3m claim by Chinese contractor against French bank for non-release of performance bonds.

$3m claim for return of performance bond following construction of a horse racing track.

$2m claim for breach of contract relating to commercial premises.

$1m claim for medical equipment against 4 corporate defendants.

$1m claim by developer for non-payment of due installments.

$1m claim by Partner for unpaid salary plus profit share over a three-year period.

Claim for compensation following trademark infringement by butchery.

Claim by bank for unpaid Murabaha finance.

Naveen is familiar with disputes arising out of breach of directors’ duties, shareholder disputes, unfair prejudice petitions and fraud. He has a specialist interest in the protection of confidential information and injunctive relief aimed at protecting trade secrets and other protected interests.

The following areas (amongst others) are covered by Naveen:

Agency

Confidential information

Data protection

Directors’ and Employees’ duties

Directors’ Disqualification

Enforcement

Finance

Fraud

Insolvency

Insurance

Interim measures

Personal liability

Professional negligence

Provisional Liquidation

Public Interest investigation

Public interest winding up

Restrictive covenants

Sale of goods and services

Securities

Share and asset purchase agreements

Shareholder disputes

Naveen has advised banking institutions and lenders on issues relating to investment and development. This includes conventional transactions (acquisitions, lease backs, management buy outs, refurbishments) and those that are required to be Shari’a compliant.

Naveen is accredited as an Islamic Finance Expert by the International Islamic Centre for Reconciliation & Arbitration (IICRA).

Naveen has advanced knowledge on the creation, variation, rectification and termination of trusts. Also, on the interpretation of trust documentation, challenges to the validity of trusts, administration of trusts, removal of trustees, allegations of breach of trust and tracing against trustees and third parties.

Naveen provides advice on disputes, claims and petitions relating to the enforcement of foreign commercial judgments, orders and instruments - whether issued by foreign courts or by foreign arbitration tribunals.

Naveen advises on both contentious and non-contentious property matters.

His Real Estate practice includes matters involving mortgages and charges; easements and boundaries; restrictive covenants; land registration and adverse possession; options; equitable

proprietary remedies; co-ownership and trusts of land; property related professional negligence and insolvency; leasehold enfranchisement and rent review.

Naveen’s Residential and Commercial Landlord & Tenant practice includes:

- Business Tenancies
- Lease Renewals
- Break Rights
- Surrender
- Sub-tenants
- Licences to Occupy
- Interim Rent
- Compensation (Improvement and Disturbances)
- Notices
- Termination of Tenancy
- Dilapidations
- Repairing Obligations
- Co-ownership
- Joint Tenants and Tenants In Common
- Distress
- Drainage
- Obstruction of Right To Light
- Rights of Way
- Party Wall Act
- Insurance
- Quiet Enjoyment
- Forfeiture
- Possession
- Service Charges

Recommendations

‘Naveen is first class barrister, who also has a superb ability to understand the practical aspects of the client’s business needs. He is tenacious but this is tempered with good sense and great integrity.’ – Partner, Scott Walby LLP

‘Naveen is extremely personable and has a very calming influence, even in stressful situations. He is a pleasure to deal with and will always go above and beyond to ensure that all issues have been resolved. His advocacy skills are excellent, which are always well received by client’s and judges alike.’ – Chartered Legal Executive, Clarke Willmott

‘Naveen was jointly instructed by both sides as a mediator on breach of lease / consent to alterations dispute. He set up and conducted the mediation with great skill, putting the parties at ease and taking the heat out of the negotiations… I have no hesitation in recommending him for mediation on any property related dispute.’ – Partner, Housing & Property Law Partnership.

‘I instructed Naveen somewhat last minute on a large commercial service charge dispute which was relisted at short notice by the court. I cannot praise Naveen enough. He was calm and professional, seeing through the reams of paper in his brief – immediately identifying the issues and their practical application to my client. He went over and above what was asked of him without complaint which resulted in an outcome we were prepared for and anticipated. I would absolutely look to him again for future instructions. The client was full of praise for his handling of the matter too.’ – Solicitor, Samuel Phillips

‘I have worked with Naveen both in my capacity as mediator and as litigation solicitor for many years. He is a thoroughly professional and effective advocate and mediator and am happy to recommend him.’ – Partner, Pitmans LLP

‘Unflappable, calm, robust and resolute in defence of clients or pursuing their justified claims…. also, rather good at saving clients time and money in acting as an experienced Commercial Mediator.’ – Partner, Biscoes Solicitors

‘I have worked with Naveen over the last few years in cases involving litigation and disputes between family members. Naveen’s ability to understand a case quickly and provide professional advice and guidance to the parties, assisting them in settling their case during Mediation and without incurring excessive legal costs is very impressive.’ – Director, Quality Solicitors Knight Polson

‘Having researched the best HMO barrister in the UK, Naveen’s name consistently popped through…I witnessed first hand how Naveen mastered the art of law. I was represented by him and having gone through an entire process together, he lived up to his outstanding reputation. Within the property industry Naveen has proven to be one of the most articulate, professional, knowledgeable and valuable asset one could have by their side in the court of law.’ – Co-Founder, Byoot Holdings

‘We would like to say that we are delighted with the result, as is our client. Naveen was excellent, both in court and in the way he explained matters to our witnesses out of the courtroom.’ – Whiteheads Solicitors

‘I have instructed Naveen in property litigation matters and I have also recommended him as a civil mediator. I have never been disappointed with Naveen’s performance. He is easy to work with,

knowledgeable, calm, assured and quickly gains the confidence of his clients.' – Partner, Lawcomm Solicitors

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Memberships

- Property Bar Association
- Public Access Bar Association
- Western Circuit
- Commonwealth-in-England Barristers Association
- Chartered Institute of Arbitrators
- Chartered Institute for Securities & Investment
- Civil Mediation Council
- Institute of Residential Property Management
- Royal Institute of Chartered Surveyors
- England & Wales Cricket Board Association of Cricket Officials

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Qualifications

- LL.B (Hons) (LSE), LL.M
- Inns of Court School of Law (BVC)

Appointments

- Recorder – Civil (2022)
- Judge, Abu Dhabi Commercial Court (2019-2022)

Areas of Expertise

- Business Crime
- Commercial
- Housing
- Investigations And Resolutions
- Sport Media And Entertainment