



# Prashanto Chandra Sen

Senior Advocate (India)

Called: 1995 (Bar Council of India)

Silk: 2017 (Senior Advocate)

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Prashanto is a senior advocate and leading commercial and arbitration practitioner, practicing in a broad range of commercial, regulatory and public law disputes. He is frequently involved in high-end commercial, mining, energy, infrastructure and environment disputes. He appears in the Supreme Court of India and the High Courts of India, as also before National Company Law Appellate Tribunal (NCLAT), National Company Law Tribunal, (NCLT), Appellate Tribunal For Electricity ( APTEL), Competition Commission of India (CCI) and the National Green Tribunal (NGT). His arbitration practice spans appearances in ad hoc and institutional arbitrations. He accepts appointments as counsel and arbitrator. He appears in a variety of commercial matters in court. Prashanto appeared in the landmark BALCO case, (2012)9SCC52 where the Supreme Court laid down the law relating to seat of Arbitration in the context of International Commercial Arbitration. He is currently a core committee member of the International Chambers of Commerce (ICC), India Arbitration Group. He has also been ranked as a Tier I Senior Advocate by Legal 500 for Asia-Pacific.

He commenced practice in the litigation department of the leading corporate law firm, Amarchand Mangaldas before joining the Chambers of Dr Abhishek Manu Singhvi, Senior Advocate and Parliamentarian and former Addition Solicitor General of India. He then joined the chambers of Mr. C.A. Sundaram, a leading Senior Advocate. He established his independent practice in 2005 and was designated Senior Advocate in 2017.

## Commercial and International Arbitration

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- *Secretary to Govt. of Kerala, Irrigation Department v. James Varghese* 2022 SCC OnLine SC 545
- *National Confederation of Officers Association of Public Sector Enterprises & Ors. v. Union of India & Ors.* 2021 SCC OnLine SC 1086;
- *Gurmeet Singh Bhatia v. Kiran Kant Robinson*, (2020) 13 SCC 773;
- *Glencore v. Hindustan Zinc Limited, OMP(EFA)(COMM) 9/2019* (Date of Decision 08.06.2020);
- *Shiel Trade Venture Pvt. Ltd. v. Samsung India Electronics Pvt. Ltd.*, 2019 SCC OnLine Del 9142;
- *Hindustan Zinc Limited Vs. Ajmer Vidyut Vitran Nigam Limited*(2019) 17 SCC 82;
- *Bharat Aluminium Company Ltd. vs. National Thermal Power Corporation* MANU/DE/3686/2014; Delhi HC: Decided on 11.02.2014;
- *Manohar Lal Sharma v. Principal Secretary & Ors.*, (2014) 2 SCC 532;
- *Manohar Lal Sharma v. Principal Secretary & Ors.*, (2014) 9 SCC 516;
- *Bharat Aluminium Co. Ltd. Vs. Kaiser Aluminium Technical Services Inc.*,(2012) 9 SCC 552;
- *Indowind Energy Limited Vs. Wescare (India) Limited & Another*, (2010) 5 SCC 306;
- *Marble Art vs. China Shipping Container Company Ltd. & Anr.* [2009 SCC OnLine Del 515; (2009) 109 DRJ 622];
- *Microfibres Inc. Vs. Girdhar & Co. & Anr.*, (2009) SCC OnLine Del 1647; Delhi HC: Decided on 28.05.2009;
- *Bakemans' Industries P. Ltd. Vs. New Cawnpore Floor Mills and Ors.*(2008) 15 SCC 1: Decided on 16.05.2008;
- *Reliance Airport Developers (P) Ltd. Vs. Airports Authority of India & Ors.*,(2006) 10 SCC 1;
- *Reliance Infocom Vs. Union of India*(2005) 2 CompLJ 537; TDSAT: Decided on 04.03.2005;
- *Smita Conductors Limited Vs. Euro Alloys Limited*,(2001) 7 SCC 728;
- *Duncan International (India) Limited & Anr. Vs. Appellate Authority for Industrial and Financial*

*Reconstruction and Ors.*, [(2000) 54 DRJ 836 (DB)]; and

- Involved in numerous arbitrations, international as well as domestic relating to companies of the Vedanta Group, Samsung Ltd., GAIL among others.

## Competition Commission of India

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- *In Re: Alleged anticompetitive conduct in pulse market; Suo Moto No. 04/2018; Decided on 13.10.2022*
- *In Re: Alleged anti-competitive conduct in beer market v. United Breweries Limited & Ors.*; Suo Moto No. 06/2017; CCI: Decided on 24.09.2021
- *Competition Commission of India v. Bharti Airtel Ltd.*, (2019) 2 SCC 521;
- *Rajasthan Cylinders & Containers Limited v. Competition Commission of India* 2019 SCC OnLine Del 7806;
- Delhi HC: Decided on 07.02.2019
- *Rajasthan Cylinders & Containers Limited v. Union of India* (2020) 16 SCC 615; Decided on 01.10.2018
- Oriental Rubber Industries Pvt. Ltd. vs. Competition Commission of India, 2016 CompLR 611 (Delhi); Decided on 22.04.2016;
- *ECP Industries Ltd. vs. Competition Commission of India* (2016 SCC OnLine Comp AT 79);
- *Hyderabad Cylinders Private Limited vs Competition Commission of India* (2016 SCC OnLine Comp AT 411);
- and
- *The Board of Control for Cricket in India vs. Competition Commission of India* 2015 CompLR 548 (Comp AT); Decided on 23.02.2015.

## Energy

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### Electricity

- *Hindustan Zinc Limited Vs. Ajmer Vidyut Vitran Nigam Limited*, (2019) 17 SCC 82;
- *M/s Adani Power Maharashtra Ltd. Vs MSERC & Anr.*, (Appeal No 370/2018);
- *Western Electricity Supply Company of Odisha Ltd. & Ors. Vs. Odisha Electricity Regulatory Commission & Ors.*, (2017 SCC OnLine APTEL 56);
- *Odisha Power Generation Corporation Limited vs. Odisha Electricity Regulatory Commission*, (2017 SCC OnLine APTEL 4);
- *Kerala State Electricity Board v. Power Grid Corporation of India Ltd.*, (MANU/CR/0107/2015); Decided on 16.02.2015;
- *CSPDCL Vs. CSERC & Anr.*, MANU/ET/0001/2014: Decided on 02.01.2014;
- *GRIDCO Ltd. Vs. M/s. ORICON Equipments P. Ltd. & Ors.*, MANU/ET/0062/2014: Decided on 23.04.2014;
- *Birla Tyres Vs. UREDA & ANR*, Appeal No.136 OF 2014 (Date of Decision- 01.10.2014);
- *BALCO v. CSPTC Ltd.*, MANU/CR/0188/2014: Decided on 30.10.2014;
- *Jayshree Chemicals Ltd. Vs. OERC*, MANU/ET/0221/2014: Decided on 28.11.2014;
- *NESCO Vs. OERC & Ors.*, MANU/ET/0218/2014: Decided on 30.11.2014;
- *Vedanta Aluminium Ltd. Vs. Orissa Electricity Regulatory Commission* (Before APTEL) MANU/ET/0023/2013; Decided on 31.01.2013; ;
- *Vedanta Aluminium Limited Vs. Odisha Electricity Regulatory Commission & Ors.* (2013 SCC OnLine APTEL 76);
- *Chhattisgarh State Power Distribution Co. Ltd. Vs J.P. Saboo & Ors* (2011 SCC OnLine APTEL 22); and
- *G.V.K. Industries Limited & Anr. Vs. Central Electricity Authority* 2006 (88) DRJ 377; Del HC: Decided on 27.02.2006.

### Environment and Mining

- *Orissa Mining Corporation Ltd. Vs. Ministry of Environment & Forest & Ors.*, 2013 (6) SCC 476; SC: Decided on 18.04.2013;
- *Sterlite Industries v. Tamil Nadu Pollution Control Board*, MANU/GT/0070/2013: Decided on: 08.08.2013;
- *Sajal Kumar & Anr. Vs. UOI & Ors.*, MANU/GT/0072/2012: Decided on 18.12.2012;
- *Nirma Ltd. Vs. MOEF & Ors.*, MANU/GT/0032/2015: Decided on: 03.02.2015;
- *Nirma Limited v. Ministry of Environment & Forests* MANU/GT/0018/2015: Decided on 14.01.2015;
- *Sandur Manganese & Iron Ores Ltd. v. State of Karnataka & Ors.*, (2010) 13 SCC 1; SC: Decided on 13.09.2010;
- *Prafulla Samantra vs. Ministry of Environment and Forests and Ors.*, 159 (2009) DLT 604; Decided on 06.05.2009; and
- *Bonani Kakkar vs. Oil India Ltd. & Ors.* MANU/GT/0040/2021: Decided on 19.02.2021.

## Academic

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1995-96 Completed Bachelor of Civil Law (BCL) (Master's in Law) from University of Oxford, UK - Private International Law, Corporate Finance, Comparative Human Rights and Intellectual Property Rights.

1992-95 LL.B. From Campus Law Centre, Faculty of Law, University of Delhi.

1992-93 Diploma in Environmental Law from the World Wide Fund for Nature and Natural Resources(WWF).

1989-92 B.A. (Hons.) (History) from St. Stephen's College, University of Delhi.

## Awards

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1995 Awarded the J.N. Tata Trust Scholarship; the Oxford Cambridge Society of India Scholarship; the Charles Wallace Trust Scholarship for education at Oxford.

1992 Won the I.H. Qureshi Memorial Prize for performance in examination in His-tory at St. Stephen's College.

1991 & 93 Twice winner of the Mukherjee Memorial Debate from St. Stephen's College which is amongst the most prestigious All India Debates in the country.

## Publications

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March, 2019 Started the first journal of the Delhi High Court Bar Association - The Quarterly Bar Review (QBR) as one of the Founder Editors of the Journal in March, 2019.

## Appointments

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2022: Appointed as core committee member of the International Chambers of Commerce (ICC), India Arbitration Group.

2017 - Designated Senior Advocate by Delhi High Court.

2017 - Founder Editor of Quarterly Bar Review – a journal of the Delhi High Court Bar Association.

2001-2005 - Junior Counsel in the Chambers of Mr. C.A. Sundaram, Senior Advo-cate.

1998-2001- Junior Counsel in the Chambers of Dr. A.M. Singhvi, Senior Advocate.

1996-98 - Associate in Amarchand & Mangaldas & Suresh A. Shroff & Co. since end of 1996.

1995 Enrolled as an Advocate, Bar Council of India.

## Memberships

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Member, India International Centre (IIC), Delhi - a premier club of intellectual cultural personalities, artists politicians, professionals and civil servants.

Member, India Habitat Centre, Delhi.

Founding Member of the Constitutional Law Society of the Campus Law Centre, Delhi University.

Member, Debating Society, St. Stephen's College, Delhi.

# Languages

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Fluent in English, Hindi and Bengali.

# Interests

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Reading - Philosophy, Religion, Literature and Law.

Practitioner of Aikido, currently holding 1stKyu (Brown Belt).

Trekking and mountaineering.

Listening Music - Western Classical and Indian Classical.