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## RATAN K SINGH

**Call:** 1996

**rsingh@keatingchambers.com**

### Areas of Practice

- Construction & Engineering
- International Arbitration
- Infrastructure
- Mining
- Commercial
- Civil

### Clerks' Details

**Declan Redmond**

**T:** +44 (0)20 7544 2616

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### Practice Overview

Ratan K Singh is a Senior Advocate based in New Delhi. He joined the Indian Bar in 1996 and is one of the leading arbitrators and counsels who is appointed and engaged in complex, high-value commercial litigation and arbitration. With about 25 years of experience, he has a heavyweight practice in India, as well as internationally, with specialties in construction, engineering, infrastructure, mining, and general commercial and civil disputes.

The length and breadth of Ratan's practice has placed him at the top of the game in commercial litigation and arbitration, especially given his background in civil law and trial practice, giving parties a holistic approach and achievement at any stage of the case. Ratan's advocacy experience reflects in a number of reported cases of the Supreme Court and various High Courts relating to writs, commercial litigations, and arbitrations concerning a variety of sectors like mining power plants, steel plants, highways, buildings, hotels, power transmission, joint ventures, and others.

Ratan has also received numerous arbitral appointments as chair, wing arbitrator and has represented parties in complex, high-value domestic and international arbitrations. He has a broad experience in international arbitration under the rules of the International Chambers of Commerce (ICC), UNCITRAL, Singapore International Arbitration Center (SIAC), London Court of International Arbitration (LCIA), Japan Commercial Arbitration Association (JCAA), Delhi International Arbitration Center (DIAC), Indian Council of Arbitration (ICA), Indian Council of

Arbitration and Dispute Resolution (ICADR), and others.

Ratan has been involved with industry players and stakeholders through his chairmanship of the Society of Construction Law – India and directorship of the Chartered Institute of Arbitrators – India, apart from being in the apex body of various institutions. In recognition of his extensive international experience in dispute resolution, Ratan has received several fellowship calls from numerous internationally reputed organizations. These include FCI Arb, FCI Arb, FMI Arb, FAIADR, and FPD. Commendably, Ratan is the only Indian to receive a fellowship from the International Academy of Construction Lawyers (IACL) following his election by existing IACL fellows, recognizing his reputation in the field of construction law.

Ratan maintains a close connection with academics and is a passionate peripatetic professor, teaching courses on construction disputes, construction law, international arbitration, effective advocacy in arbitration, and related themes. Ratan has frequent speaking engagements in conferences and seminars in India and abroad, and he regularly delivers distinguished lectures to a variety of audiences from students to experienced practitioners to executive members of corporate giants. Internationally, he has delivered talks in USA, UK, Singapore, Malaysia, Italy, Spain, Brazil, and Nepal. Ratan also has several publications to his name.

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## Arbitrator Experience

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### Chairman / Presiding Arbitration

- Presiding Arbitrator in a dispute involving the construction of a national highway. Ad hoc arbitration. Place of arbitration: India.
- Presiding arbitrator in a dispute involving the construction of joining, laying, and piping of drainage system for roads. Ad hoc arbitration. Place of arbitration: India.

### Co-Arbitrator

- Co-arbitrator in a dispute involving a thermal power plant. Ad hoc arbitration. Place of arbitration: India.
- Co-arbitrator in a dispute relating to an insurance dispute involving some of the biggest insurance and FMCG MNCs. Place of arbitration: India.
- Co-arbitrator in a dispute relating to a concession agreement regarding the collection of toll. Place of arbitration: India.

### Sole Arbitrator

Acted as a sole arbitrator in over 100 arbitrations involving disputes relating to agency and joint ventures, construction, corporate acquisitions, defense contracts, distributorship, financial services and investment, insurance and reinsurance, partnership, power and energy, franchise, and other commercial and business sectors.

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## Selected Counsel Experience

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### International Arbitration

- Counsel for a listed Indian company against a Finnish Company in an ICC arbitration in London concerning an international supply agreement. Amount in dispute: INR 67 crores.
- Counsel for one of the largest automobiles part manufacturer against a Japanese corporation in a SIAC arbitration in Singapore concerning a joint venture agreement.
- Counsel for an Australian company against an Indian joint venture in an arbitration under UNCITRAL Rules concerning the joint venture agreement.
- Counsel for a Cyprus company (part of an Israeli real estate conglomerate) in an ad hoc arbitration concerning joint venture dispute.
- Counsel for a Swedish power MNC against Russian power MNC in a ICA arbitration concerning a thermal power plant.
- Counsel for one of the largest automobiles part manufacturer against a Japanese corporation in a JCAA arbitration (including emergency arbitration) in Tokyo, concerning a joint venture agreement and license and technology transfer agreement. Amount in dispute: INR 45 crores.
- Counsel for a franchiser against a Qatari company in a ICADR arbitration seated in Qatar, concerning a franchise and license agreement.
- Acted as a counsel in various other international arbitrations and related litigation

involving disputes relating to technology transfer, joint venture, license, intellectual property, and others.

### Domestic Arbitration

- Counsel for one of the biggest hospitality groups against a large luxury hotel brand in an ad hoc arbitration concerning hotel management agreement.
- Counsel for a Swedish power MNC against a state government power company in an ad hoc arbitration concerning thermal power plant.
- Counsel for a large construction company against a power company in an ad hoc arbitration concerning a thermal power plant in Chhattisgarh.
- Counsel for an Indian company against a German MNC in an ad hoc arbitration concerning a hydro power plant project in Sikkim. Amount in dispute.
- Counsel for an Indian company against another Indian company in an ad hoc arbitration concerning a thermal power plant.
- Acted as a counsel in various other domestic arbitrations and related litigation for public and private entities involving disputes relating to sale and distribution, road construction, urban development, infrastructure, buildings, telecommunications, energy, natural resources, and others.

### Selected Reported Cases

- Sarda Energy & Minerals Limited v. Union of India, 2015 SCC OnLine Del 7421 (concerning a challenge to the order of a mining tribunal and a writ of mandamus for execution of prospecting licensee for Iron ore areas in Chhattisgarh)
- ABB v. IFCL, (2004) 12 SCC 570 (concerning lease financing)
- Chhattisgarh State Industrial Development Corporation Ltd. & Anr. v. Amar Infrastructure Limited & Ors., (2017) 5 SCC 387 (concerning the successful awarding of a works contract and setting aside of charges of fraud and costs)
- Prenit World LLP v. Union of India, 2017 SCC OnLine Del 9255 (concerning a tender issued by a public authority)
- TCIL v State of MP, [Judgement dated 22.03.2017 in M.Cr. Case No. 5394/2015 High Court of Madhya Pradesh] (concerning a FIR launched against an employer)
- Monet Ispat & Energy Ltd. v Sarda Energy, 2015 SCC OnLine Del 9946 (concerning denied rights over lifting of extension of coal)
- Shri Bajrang Power & ISPAT Ltd v Union of India, 2015 SCC OnLine Chh 730 (concerning normal coal linkage)
- Jaiswal Neco Industries Ltd. v Sarda Energy & Minerals Ltd., (2011) 178 DLT 146 (concerning iron ore mining and mining rights)
- AMR Dev Prabha v Union of India, 2015 SCC OnLine Jhar 5218 (concerning tender for extraction of coal)
- State of Chhattisgarh v M/s Godawari Power & Ispat Ltd. & Ors., 2015 SCC OnLine Chh 1222 (concerning royalties for iron ore mining and illegal levy of USD 3 million)
- U-Shin v Jay U-Shin 2013, SCC OnLine Del 1197 (concerning a joint venture agreement and its violation by a JV-partner having competing businesses)
- Namrata Singh & Ors. v DGCA & Ors., 2016 SCC OnLine Del 477 (concerning chartered air services)
- Pusp Steel v State of Chhattisgarh, 2016 SCC OnLine Chh 1836 (concerning a mandamus issued for execution of mining lease)
- TTL v BSNL, (2016) 235 DLT 230 (concerning an award of liquidated damages without evidence of actual loss and its conflict with public policy)
- Mohd. Akbar v Election Commission of India, (2015) 14 SCC 519 (concerning directions issued by the Supreme Court to all High Courts to have a dedicated bench for election matters)
- Brahmani River Pellets Limited v. Kamachi Industries Ltd., (2020) 5 SCC 462 (concerning seat and venue of arbitration in a petition for appointing an arbitrator)
- Ashwani Minda & Jay Ushin I Ltd., 2020 SCC Online Del 721 (concerning emergency

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## Qualifications

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### Education

Fellow, International Academy of Construction Lawyers	
Fellow, Prime Disputes, UK	
Fellow, Asian Institute of Alternate Dispute Resolution, Malaysia	
Fellow, Malaysian Institute of Arbitrators, Malaysia	
Fellow, Chartered Institute of Arbitrators, UK	
Bachelor of Law, Delhi University	1996
Master of Science (Geology), Delhi University	1995

### Admission

India	1996
Member, Supreme Court Bar Association (SCBA)	
Member, Delhi High Court Bar Association (DHCA)	

### Empanelment and Membership

Delhi International Arbitration Centre (DIAC), New Delhi
Indian Council of Arbitration (ICA), New Delhi
Madras High Court Arbitration Center (MHCAC), Madras
Indian Centre for Alternative Dispute Resolution (ICADR), New Delhi
Asian International Arbitration Centre (AIAC), Malaysia
London Court of International Arbitration (LCIA), London
Stockholm Chamber of Commerce (SCC), Stockholm

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## Professional Activities

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### Current Appointments

Founder-Chairman, Society of Construction Law – India
Director, Chartered Institute of Arbitrators – India
Accredited Tutor, Chartered Institute of Arbitrators (CI Arb)
Visiting Faculty, Indian Society of International Law, New Delhi
Advisory and Editorial Board Member, Nyayshastram, New Delhi
Executive Committee Member, Centre of Excellence for Alternative Dispute Resolution, Manav Rachna University (MRU), Faridabad
Advisory Board Member, Board of Global & Transnational Studies, Indore Institute of Law (IIL), Indore
Governing Board Member, Hyderabad Arbitration Center (HAC), Hyderabad.

### Past Appointments

Member, Task Force on Dispute Resolution by the Confederation of Indian Industries (CII), New Delhi

Advisory Board Member, Centre for Advanced Research in Dispute Settlement (CARDS), National Law University, Visakhapatnam

Editorial Board, Recent Arbitration Judgments (RAJ)

### Publications

Arbitration is as Good as Arbitrator, published by Indian Institute of Technical Arbitrators (IITA), Hyderabad

Resolution of Land Disputes by Alternate Dispute Resolution Mechanisms, published by Lal Bahadur Shastri National Academy of Administration, Mussorie

Virtual Arbitration and Remote Advocacy, published by the Construction Industry Arbitration Council (CIAC), New Delhi

India and Interim Measures in International Commercial Arbitration: Impressions from Bitter Experience, The SCC Online Op-Ed (2021)

Chapter on Construction Arbitration: Peculiarities in Principles and Practice, in SPECIALIZED ARBITRATIONS: EMERGING INTERNATIONAL TRENDS AND PRACTICES (Chirag Balyan and Yashraj Samant eds.) (2021)

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### Languages

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English

Hindi

