



DIVYA KRISHNAN

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EXPERIENCE

Divya is a counsel at Singularity Legal. She holds an LL.M. from Columbia Law School where she focused on investment and commercial dispute resolution. She is licensed to practice in India. She specialises in advising construction & infrastructure, companies and institutional investors in shareholder and joint venture disputes, operational disputes, and sovereign disputes.

Her range of experience includes advising clients in international arbitrations under various rules like ICC, SIAC, LCIA, PCA, and UNCITRAL; and in cross-border disputes before courts in India, Indonesia, Singapore, United States of America, United Kingdom, and United Arab Emirates; and in investment treaty disputes.

She has previously worked with the arbitration team of a white-shoe American law firm in New York and a premier Indian full-service law firm in New Delhi.

REPRESENTATIONS

Arbitration

- Represented a federal agency defending claims raised by a Swiss company dealing with export of precious metals (SIAC, Singapore seated)
- Represented a premier hospitality company in an ad hoc arbitration pertaining to commercial lending contracts with claims of US\$50 million (Indian law)
- Represented an airport operator company in an ad hoc arbitration involving claims of over US\$1 billion arising from a Public-Private Partnership contract (Indian law)
- Represented a company engaged in the development establishment, construction, operation and maintenance of a national highway in ad hoc arbitration with claims of about \$1.5 billion arising from a Public-Private Partnership contract (Indian law)
- Represented a multinational construction company in a dispute over an EPC contract for the construction of a biofuel production plant in the Philippines in an arbitration under the SIAC rules with seat in Singapore.

Litigation

- Represented a federal agency regulating international trade of mineral and metals in cross-border dispute challenging the final award granting US\$78.7 million in an arbitration governed by the ICC arbitration rules (Supreme Court of India)
- Represented a federal agency regulating international trade of minerals and metals in obtaining review and modification on the quantum of liability imposed in an international commercial arbitration governed by the ICC arbitration rules (Supreme Court of India)
- Represented an international hotel chain in settlement of claims of US\$35 million during pendency of arbitration (LCIA, London seated, Indian law)
- Represented a multinational construction company in seeking stay of invocation of bank guarantee pertaining to construction of a biofuel production plant in the Philippines (Punjab & Haryana High Court)
- Represented the chairman of a government trading enterprise in defending contempt petition on claims of failure to comply with the terms a domestic award (Delhi High Court)

INVESTMENT TREATY DISPUTES

- Represented a Dutch company in bringing claims against the Republic of India on account of retrospective amendment to the Indian Income Tax Act, 1961 as being in violation of treaty obligations under the India – Netherlands BIT, 1995.
- Represented a UK company in bringing claims against the Republic of India on account of retrospective amendment to the Indian Income Tax Act, 1961 as being in violation of treaty obligations under the India – United Kingdom BIT, 1994.

DEALS

- Advised client in the acquisition of a renewable energy company.
 - Advised a renowned hotel chain on formulating viable response and guidelines to address issues of nonrefundable cancellations due to the COVID-19 pandemic.
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