



Karishma Vora

Year of call: 2011

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Year of call: 2006 (India), 2011 (England & Wales), 2020 (DIFC)

“A very hard working lawyer, who is always ready to go the extra mile for her client. Her written advocacy is of a high standard and she is able to break some complicated issues and present them in a simplified and persuasive manner.” The Legal 500 UK 2022

Karishma has a busy commercial disputes and civil fraud practice representing companies and individuals in high value cases before the commercial court and in arbitration.

She specialises in private equity, mergers and acquisitions (M&A), banking, breach of guarantee and fraud disputes. She has vast experience in cross border investments and transactions and is sought after by private equity funds and family offices alike for input on litigation strategy. Her sector expertise is in defence, metals and commodities, mining, technology, crypto, pharmaceutical, distribution and diamond industries.

She is typically instructed on jurisdiction challenges, service out, anti-suit and summary judgment applications, Norwich Pharmacal claims and freezing injunctions through to trial. She appears on a led basis and equally leads teams in heavy trials and interim proceedings, depending on the nature of the case.

Karishma frequently works with lawyers from foreign jurisdictions. She has the rare expertise of being triple qualified in England, India and the Dubai International Financial Centre (DIFC) and has reported judgments in all three jurisdictions. Karishma is ranked for commercial litigation by The Legal 500 in the UK and Europe Middle East and Africa (EMEA) (band 1). Her international practice includes running a set of chambers in India.

Karishma's significant international arbitration expertise includes being appointed as an arbitrator and as counsel in arbitrations seated in London, Singapore, Dubai and India in cases governed by the London Court of International Arbitration (LCIA), International Chamber of Commerce (ICC), Singapore International Arbitration Centre (SIAC), London Metal Exchange (LME), Refined Sugar Association (RSA), London Maritime Arbitrators Association (LMAA), Indian Council of Arbitration (ICA) and Mumbai Centre for International Arbitration (MCIA) rules. She is empanelled as an arbitrator with many of these institutions and sits as a sole arbitrator or on a panel of three.

Karishma is an alumna of the London School of Economics where she also taught commercial law.



Areas of expertise

Banking and Financial Services
Commercial Contracts
Civil Fraud
Technology and Cryptocurrency Disputes
International Arbitration
Alternative Dispute Resolution - Arbitrator
International Practice - India
International Practice - Middle East

Banking and Financial Services

"Very thorough and very committed – she knows her stuff, is tactically aware and sees the bigger picture and where we are going with it." The Legal 500 EMEA 2021 (Tier 1)

Karishma is a specialist in cross border lending and guarantee defaults. She is adept at handling such litigation where the main facility agreement has a governing law that is different from underlying guarantees/security documents. Often, one or more legs of the proceedings are outside England, such as before courts and tribunals in India, USA or the DIFC in Dubai.

She is instructed by banks or by borrowers and guarantors and has had successes for both sides, including when appearing against heavyweight silks.

Cases of note

- **ICICI Bank v GVK Coal Developers** - Instructed by a consortium of banks to lead a team at trial before the Commercial Court in a loan and guarantee default worth US\$1.2 billion borrowed for a coal mining project in Australia.
- **Punjab National Bank v Vishal Cruises and Passat Kreuzfahrten [2020] EWHC 1962** - Defended guarantors in claims over €20m where one leg of the dispute proceeded in parallel at the NCLT in India. Karishma's strategy caused the case to progress to trial i.e. beyond summary judgment that is typical in such matters.
- **Emirates NBD Bank v KBBO DIFC Claim No. CFI-045-2020**, order dated 18 August 2021 - Karishma, leading a team, successfully lifted a US\$300m freezing injunction for a corporate guarantor at the DIFC Court in this matter linked to the NMC Health scam. The matter concerned forgery and lack of a good arguable case.
- **Punjab National Bank v Srinivasan [2019] EWHC 89 (Ch)** - Successfully defended a personal guarantor of a US wind energy company in this US\$37m loan case on grounds of fraudulent misrepresentation and breach of full and frank disclosure by the bank during their application to serve out.
- **Barclays Bank Plc v Svizera Holdings BV** - Defended guarantors in a US\$35m trial concerning

breach of a facility agreement and currency swap. Karishma was subsequently instructed to draft a US\$14m claim against the receivers for selling assets at undervalue pursuant to the primary case.

Commercial Contracts

*"A very hard working lawyer, who is always ready to go the extra mile for her client. Her written advocacy is of a high standard and she is able to break some complicated issues and present them in a simplified and persuasive manner."*The Legal 500 UK 2022

Karishma has 16 years of experience as a commercial litigator and taught commercial law at the London School of Economics and Political Science. The average size of her matter is about US\$10-300m in dispute and many of her cases are reported. She is instructed by both investors and fund houses in breach of shareholder agreements and related transactions. She is herself an investor in startups and has had successful exits, making her a trusted choice as she gets the commercial angle in each case.

Cases of note

- ***Cargill International Trading Pte Ltd v Uttam Galva Steels Ltd* [2018] EWHC 974 (Comm), [2018] EWHC 2977 (Comm) and [2019] EWHC 476 (Comm)** - Instructed by Uttam Galva Steels to defend a US\$61.8m breach of an advance purchase and sale agreement. Karishma was instructed in three hearings against leading silks including on issues concerning service out, summary judgment and enforcing seemingly high interest rates abroad.
- ***Kanji v Eros Media World Plc* [2021] EWHC 2859 (Comm)** - Karishma represented an ex-consultant of an NYSE-listed media company who sought damages following the grant of restricted shares under an employee stock option plan (ESOP). She successfully secured indemnity costs at a hearing for default judgment and successfully resisted an application for relief from sanctions, thereafter arguing the case until trial. Karishma previously successfully settled a similar matter for another ex-employee against the same company.
- Advising a prominent Asian family office on navigating sale of assets and breaches of real estate development agreements following a freezing of their worldwide assets.
- Instructed in a sale at undervalue by receivers of a British pharmaceutical company who incorrectly valued generic licences.
- Instructed in an appeal to the Privy Council from the Cayman Islands Court of Appeal in a dispute between shareholders of a real asset management company.
- Advised a majority shareholder on an unfair prejudice petition arising out of a £2.5m shareholders agreement concerning a 150-room hotel in the north of England franchisee.
- Defended an English franchisee against allegations of breach of a franchise agreement brought by a famous foreign restaurant chain.

Civil Fraud

"Hard working, diligent, enthusiastic, good at building rapport with clients and instructing solicitors."
The Legal 500 UK 2021

Karishma undertakes noteworthy civil fraud cases including banking fraud, crypto fraud and email compromise fraud. Owing to her interim application expertise, she is frequently instructed on Norwich Pharmacal claims to ascertain the identity of the perpetrators of fraud, followed by worldwide freezing orders. Karishma has also been quoted by leading newspapers including on the Vijay Mallya-Kingfisher scam and on her experience of how fraud is pleaded in different jurisdictions.

Cases of note

- ***Punjab National Bank v Srinivasan* [2019] EWHC 89 (Ch)** - Successfully defended a guarantor of a \$37m loan borrowed by a US wind energy company on grounds of fraudulent misrepresentation and breach of full and frank disclosure by the bank.
- ***Ellis v Digit Europe* [2021]** Successfully argued six applications including permission to serve by alternate means, Norwich Pharmacal reliefs, change of parties, gagging order, interim confidentiality order and a first of its kind worldwide freezing injunction over 183 bitcoin against the perpetrators of a crypto fraud worth about £10m.
- Successfully represented a Vietnamese company who were victims of an email compromise fraud. Obtained a settlement with banks, following the bringing of proprietary injunctions against them.
- Instructed by a manufacturer of generic pharmaceuticals to bring an action worth about £14m against a big four accounting firm for breach of receivers' duties following the sale by them of a company at undervalue.
- Advised a family office in the diamond industry on letters of request in over seven countries and worldwide freezing injunctions.
- Advised foreign investors in an online British jewellery business where the sweat-equity shareholder was siphoning sums via fraudulently programmed payment gateways.
- Advised a minority shareholder of a conferences business on bringing an unfair prejudice petition against majority shareholders who were desirous of launching the conference in cities outside the UK under the same brand but under a company structure that excluded the minority shareholder.

Technology and Cryptocurrency Disputes

Karishma has considerable expertise in tech disputes and is frequently engaged to advice on matters concerning breach of contract or fraud with an intersection of technology. She is instructed on disputes arising out of crypto assets, email compromise fraud, shareholder disputes involving underlying investments in technology companies and ERP software disputes.

She has a good understanding of cryptocurrency markets, blockchain technology, AI and smart contracts and has successfully represented clients in relation to complex crypto-asset recoveries before English courts. Karishma is nimble-footed in collaborating with IT forensic experts to understand the latest methodologies and to help extract relevant information for courts/arbitral tribunals.

Clients find Karishma's expertise in cross border disputes useful as she brings her knowledge of Norwich Pharmacal orders, freezing injunctions and service outside the jurisdiction to cross-border tech disputes.

Karishma has lectured widely on the impact of technology in disputes in conferences organised globally.

Cases of note

- ***Ellis v Digit Europe Limited (CL-2021-000753)*** Karishma was one of the first barristers in England to successfully freeze crypto assets enough to cover the victim's fraud. She successfully argued six applications including permission to serve out and by alternate means, Norwich Pharmacal order, gagging order, interim confidentiality order and a first of its kind worldwide freezing injunction over 183 bitcoin against the perpetrators of a crypto fraud worth about £10 million.
- Advising a large cybersecurity distributor in the Middle East on a breach of a software product reseller agreement.
- Successfully represented an Asian company that was a victim of an email compromise fraud by obtaining a settlement with English banks. Involved Norwich Pharmacal orders and discussions of proprietary injunctions.
- Represented JSW Steel in a dispute against one of its stockyards in a matter concerning stock shortage and tampering of ERP software.
- Advised foreign investors in an e-commerce British jewellery business where the sweat-equity

shareholder was siphoning sums via fraudulently programmed payment gateways.

- Regular advisor to Intellect Design, a well-known ERP software provider.

International Arbitration

"Her analytical and systematic approach to matters are just one of her many hidden strengths." A client instructing her on an LCIA arbitration

Karishma is instructed in arbitrations under the auspices of the ICC, LCIA, SIAC and MCIA rules and in commodity arbitrations such as under the LME and RSA rules. Her command over conflict of laws makes her an attractive choice for complex arbitrations. For example being instructed as counsel in a London seated ICC arbitration governed by Sudanese law.

She is appointed as arbitrator as a sole arbitrator or on a panel of three.

Her being invited as a speaker by the Global Arbitration Review (GAR), at the Paris and Dubai Arbitration Weeks is a demonstration of how well she is regarded in the field of international arbitration. Karishma is often invited to author articles and chapters for leading international arbitration publications including by Thomson Reuters.

Cases of note

- ***Uttam Galva Steels Ltd v Gunvor Singapore Pte Ltd* [2018] 2 Lloyd's Rep 152** - Defended a US\$35m claim under the London Metal Exchange arbitration rules and brought a section 67 challenge on whether an arbitrator has powers to grant summary judgment and arbitrability of bills of exchange when the arbitration clause was contained in the master sales agreement.
- ***Malhotra v Malhotra* [2012] EWHC 3020 (Comm)** - Represented exiting shareholders in a Geneva seated, LCIA arbitration governed by English law concerning breach of non-compete provisions in a US\$225m private equity dispute.
- Advised on an international arbitration worth over US\$ 1 billion concerning the development of the covid-19 mRNA vaccines.
- Instructed by a leading defence manufacturer in a US\$200m liquidated damages arbitration seated in Asia.
- Instructed in an interim application before the Commercial Court in London in aid of a Singaporean arbitration under the SIAC rules pursuant to the trigger of a share pledge in the automobile industry.
- Defended a US\$79m London-seated LCIA arbitration concerning the acquisition of a Russian coal mine.
- Instructed in a London-seated LCIA arbitration by a leading distributor of skincare products in China and Asia following a breach of a distribution agreement.

Alternative Dispute Resolution - Arbitrator

Karishma has a growing practice as an arbitrator and is empanelled with the LCIA, MCIA, ICA and Mauritius International Arbitration Centre (MIAC). She sits as a sole arbitrator and co-arbitrator in commercial and commodities disputes on an ad hoc basis and under leading institutional rules. She is familiar with the ICC, SIAC, LCIA, DIAC, LMAA, ICA and MCIA rules as well as rules framed by commodity exchanges such as the LME and RSA rules. She has particular expertise in cross-border arbitrations involving foreign law, foreign parties or both.

She is regularly invited as a speaker at reputed international conferences such as by GAR, Paris Arbitration Week, Dubai Arbitration Week, Combar, ICA, MCIA and International Arbitration and Mediation Centre, Hyderabad (IAMC) conferences. She has authored a chapter on anti-suit injunctions in a book titled

"Commercial Arbitration: International Trends and Practices" published by Thomson Reuters. This reflects the respect peers in the field have for her, making her a safe and reliable choice as an arbitrator.

Cases of note

- Serving on a three-member tribunal in a London-seated LCIA arbitration governed by Indian law concerning declaratory reliefs pursuant to a joint venture consortium winning a government tender in Asia. Preliminary issues concern whether a dissolved JV partner can validly take steps in the arbitration.
- Co-arbitrator in a London-seated, English-law governed arbitration under the London Maritime Arbitrators Association (LMAA) rules in a claim for demurrage, cargo and loss of profit.
- Sole arbitrator appointed by the Mumbai Centre for International Arbitration (MCIA), India's premier arbitral institution, in an Indian-law governed arbitration seated in Mumbai concerning disputes between a leading multi-national corporation and its distributor.
- Sole arbitrator appointed by the Indian Council of Arbitration (ICA) in an India seated international arbitration concerning commodities trade and the possible consolidation of arbitrations emanating from three contracts for sale of steel bars.
- Sole arbitrator appointed by the ICA in a dispute concerning breach of an FOB contract.

International Practice - India

*"Karishma is extremely hard working and committed to her clients. She is responsive, friendly and a pleasure to deal with. She pursues her client's interests with dogged determination and does a lot of oral advocacy. She is known for her work on India related disputes."*The Legal 500 UK 2023

Karishma was a litigator in Mumbai for six years before relocating to London and appeared before the Bombay High Court, Debt Recovery Tribunal and Company Law Board (predecessor to the NCLT), acting for clients such as Tata Motors, HDFC Bank, Calyon Bank, Bank of Baroda and family-run business conglomerates.

Her international practice includes running her own set of chambers in Mumbai with a well-stocked Indian-law library that is located in Fort, the legal district.

Karishma is instructed as counsel and arbitrator in domestic Indian arbitrations and has become the go-to expert on Indian law before courts in England.

Cases of note

- Instructed by Ince & Co to represent a Middle Eastern client in a high stake arbitration against the Government of India seated in Delhi and governed by Indian law.
- **Montblanc v Dilip Doshi** - Instructed by Montblanc in a matter before the High Court in England on the invalidity of personal guarantees.
- Instructed by a leading Indian steel company in an INR 9 crore dispute against its stockyard in south India in a dispute concerning shortage and tampering of ERP software.
- Advised an English power company that supplies equipment to the national electricity board of the Government of India on how to exit a joint venture and frustration of contract under Indian law.
- Instructed as a joint expert in English proceedings disputes concerning remittance of funds out of India and provisions of India's Foreign Exchange Management Act (FEMA), oral contracts and enforcement of English judgments in India.
- Previous experience as counsel in India:
 - Represented the supplier of industrial gases to a steel plant in a matter concerning the breach of a negative covenant. **Inox v SJK Steel**.

- Successfully lifted an interim injunction that had been granted ex parte against the respondent bank in respect of a disputed letter of credit. *Glencore International v Calyon Bank*.
- Defended a winding up petition for a company that was awarded a tender to supply wire to the Ethiopian government and had sub-contracted its manufacturing to the petitioner. *Sunderji Mulji v Jyoti Structures*.
- Represented the claimant in a matter concerning the award of a tender to construct one phase of Mumbai's JNPT port. *Great Eastern Shipping v ONGC*.
- Represented the respondent port in *Dighi Koli Samaj v Dighi Port*, a matter filed by local fishermen against the construction of a port.
- Assisted in defending a summary suit at the Bombay High Court. *DBS Bank v Uttam Galva Steels*. (led)
- Represented HDFC bank in a summary suit to enforce a corporate guarantee. *HDFC Bank v Priyadarshini*.
- Represented a high net worth individual, whose equity derivative investments had been sold at a loss by his stock broking firm without instructions, despite sufficient margin monies.
- Represented Bank of Baroda, Bank of Maharashtra, Bank of India and other banks in several hearings before the Debt Recovery Tribunal (a specialist tribunal for bank loan defaults having jurisdiction equivalent to that of the High Court).

International Practice - Middle East

"Very thorough and very committed – she knows her stuff, is tactically aware and sees the bigger picture and where we are going with it." The Legal 500 EMEA 2021 (Tier 1)

Karishma is ranked by The Legal 500 in band 1 for commercial litigation in the Middle East and Africa. She has full rights of audience before the DIFC Court and is instructed in a range of high-stakes Middle Eastern matters including landmark and novel DIFC court litigation and DIAC arbitration.

Cases of note

- ***Emirates NBD Bank v KBBO* DIFC Claim No. CFI-045-2020, order dated 18 August 2021**
Karishma, leading a team, successfully lifted a US\$300m freezing injunction for a guarantor at the DIFC Court. The banks settled with her client in this matter linked to the NMC Health scam. Successful against a QC in setting aside a US\$294m freezing injunction at the DIFC Court on behalf of a Dubai-based cyber security company in a matter arising out of a forged corporate guarantee.
- Karishma represents a leading Dubai based venture capital firm and obtained a successful settlement for it against a South Korean company in a Singapore-seated ICC arbitration in relation to the non-payment of brokerage fees.
- Successfully represented an Abu Dhabi group in a mediation against a European defence manufacturer arising out of a distribution agreement for jet spare parts.
- Represented a sheikh in an application to set aside default judgment brought by an ex-employee before the High Court in London.
- Standing counsel for a well-known Dubai-based fund and vets all their agreements that are governed by English law. She recently advised on a convertible loan agreement for investment in a tech company.
- Advised an Indian company against a UAE investor on the forfeiture of shares in a contract governed by English law.
- Advised a group of investors on the effect of a DFSA regulatory finding against the Al Masah fund.

Recommendations

Karishma's Legal 500 rankings can be found here.

- *"Karishma is extremely hard working and committed to her clients. She is responsive, friendly and a pleasure to deal with. She pursues her client's interests with dogged determination and does a lot of oral advocacy. She is known for her work on India related disputes."* The Legal 500 UK 2023
- *"A very hard working lawyer, who is always ready to go the extra mile for her client. Her written advocacy is of a high standard and she is able to break some complicated issues and present them in a simplified and persuasive manner."* The Legal 500 UK 2022
- *"Hard working, diligent, enthusiastic, good at building rapport with clients and instructing solicitors"* The Legal 500 UK 2021
- *"Very thorough and very committed – she knows her stuff, is tactically aware and sees the bigger picture and where we are going with it."* The Legal 500 EMEA 2021 (Tier 1)
- *"She is a forceful advocate who fights hard for her clients' interests."* The Legal 500 UK 2020
- *"Her analytical and systematic approach to matters are just one of her many hidden strengths."* A client instructing her on an LCIA arbitration
- Mrs Justice Cockerill has said: *"Ms Vora... has done an excellent job of marshalling and presenting her many points."*
- Mr Justice Teare has said: *"Miss Vora made her submissions with a marked degree of tenacity."*
- Mr Justice Picken has said *"he was grateful for Ms Vora's clear submissions"*.
- Mrs Justice Joanna Smith has said: *"Miss Karishma Vora... has provided a detailed skeleton argument for which I am most grateful."*

Memberships

Committee Member

- Serving committee member on two COMBAR subcommittees - The COMBAR India Subcommittee and the COMBAR UAE subcommittee
- Served on the organising committee of the Bar Council's Annual Bar Conference in 2018
- Gray's Inn Barristers' Committee (January 2014 – January 2017)

Memberships

- The Commercial Bar Association (COMBAR)
- The Chancery Bar Association
- African Arbitration Association (AFAA)
- The London School of Economics Lawyers Alumni Association
- Indian Council of Arbitration, New Delhi
- Bombay Bar Association, Mumbai
- Life member of Indian National Trust for Art and Cultural Heritage (INTACH)

Qualifications

Education

- Karishma is an alumna of and taught commercial law at the London School of Economics.

- 2003 London School of Economics and Political Science, BSc (Hons)
- 2006 Government Law College, Mumbai, LLB (first)

Scholarships and Prizes

- 2017 Karishma won the 'Commercial Disputes Lawyer of The Year Award' conferred by The Lawyer Monthly Women In Law Awards
- 2015 Karishma was nominated for the Rising Star Award at the Society of Asian Lawyers Annual Awards
- 1999-2003 London School of Economics entrance grant
- 1997-1999 The Mahindra United World College scholarship
- 1997 The Leela Moolgaokar Award for academic excellence at the ICSE (10th grade)
- 1997 The Bombay International School award for topping the ICSE examinations (10th grade)

Additional Information

Publications

- 2021 "*Anti-suit Injunctions*" in a Thomson Reuters published book titled 'Commercial Arbitration: International Trends and Practices'.
- 2021 "ERP Software Disputes: Common Pitfalls".
- 2020 "*Why not be less shy in the use of Worldwide Freezing Injunctions?*"
- 2015 Indian arbitration law: A roundup of the year 2015
- 2015 India's landmark judgments on arbitration law from 2014

News

- PNB's UK subsidiary loses Rs 320 crores fraud case – Times of India
- New UK ruling on PNB debt recovery stayed | World News - Hindustan Times
- Mallya could escape extradition through asylum route - Times of India
- Vijay Mallya's extradition delayed, speculation mounts over his application for asylum - Times of India - New India Life
- From Bombay HC to London's Royal Courts of Justice: Karishma Vora's long journey to become an English barrister - Legally India - Career Intelligence for Lawyers, Law Students
- 'There is no dearth of work in India. In England, one has the luxury of time to prepare for a case.' Karishma Vora, Second dually qualified barrister in India and England after Salve (livelaw.in)

Webinars

- Conference hosted by IAMC Hyderabad and White & Case in London - Arbitration In India: From Challenges To Opportunities - A Roadmap To 2030.
- Conference hosted by Indian Council of Arbitration (ICA) - Arbitrating Indo-UK Commercial Disputes" Indian Council Of Arbitration Holds The Second Edition Of "Arbitrating Indo-UK Commercial Disputes" Conference In London (livelaw.in)
- Kenya-UK Legal Symposium organized by Bar Council of England and Law Society of Kenya. Karishma spoke on 'The rise in the use of cryptocurrencies in business and fraud' and 'International commercial arbitration and ADR – hot Africa-related topics' Kenya-UK Legal Symposium (barcouncil.org.uk)

- India Round Table Conference organized by Combar. Karishma spoke on 'Getting Parties In – Can non signatories be required to arbitrate?'
- Karishma's webinars can be accessed on her YouTube channel here: <https://www.youtube.com/channel/Uck5iGBRWNw7rOZLmx7JG18Q>
- Conference hosted by Indian Council of Arbitration (ICA) - Arbitration in the Era of Globalization
- Webinar hosted by SIAC India - India's experience with Emergency Arbitrations
- Webinar hosted by Nishith Desai & Associates - Not a MANel
- Webinar hosted by Howard Kennedy and Shardul Amarchand Mangaldas & Co - Enforcement – harnessing the real power of arbitration?
- Conference hosted by Indian Council of Arbitration (ICA) - Shareholder Disputes
- Webinar hosted by At Home, Around the World – Technology and its impact on the way disputes are managed
- Interview by Her Forum - Being triple qualified in England, India and DIFC
- Interview by Alumni Association of Government Law College Mumbai - Learnings from practicing law overseas
- Webinar hosted by LexisNexis - Latest commercial contracts
- Conference hosted by Mumbai Centre for International Arbitration (MCIA) - Institutional Arbitration - The way the world arbitrates
- Conference hosted by African Arbitration Association (AfaA) – Interplay between Arbitration and Litigation: the important role played by domestic courts in safeguarding disputing parties' choice to resort to arbitration

Languages

- Hindi (fluent)
- Gujarati (fluent)
- Marathi (basic)

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