## Niranjan Venkatesan KC

Barrister Call 2015 Silk 2025



## **Scope of Practice**

• Arbitration • Banking and Financial Services • Civil Fraud • Commercial Litigation • Company and Insolvency • Energy and Natural Resources • Injunctions (including freezing order and search orders) • Jurisdiction and Conflict of Laws • Professional Liability • Restitution

## Overview

Niranjan was appointed King's Counsel in 2025 after only nine years in practice. Before taking silk, he was one of the leading juniors at the Commercial Bar, ranked in Band 1 by C&P and named C&P Commercial Litigation Junior of the Year 2024 and Legal 500 Junior of the Year 2023. Even as a junior, he was regularly instructed as lead or sole advocate, often against silks, in complex commercial litigation and in international arbitration. He also has extensive appellate experience, having appeared seven times in the Supreme Court and on many occasions in the Court of Appeal in cases involving complex and important questions of law. He is often brought into appeals and is known for his ability to find solutions in difficult cases. His recent advocacy in the Court of Appeal can be viewed here.

Before coming to the Bar, Niranjan read and taught law at Oxford, where he was a Vinerian, Eldon and Rhodes Scholar. He has a particular interest in civil fraud and related areas (including claims under section 423 of the Insolvency Act 1986, in which he has particular expertise). He is also called to the Indian Bar and able to advise on matters of Indian (commercial) law.

Recent and Notable Work includes:

*Invest Bank PSC v. El-Husseini*: Acted (leading Constantine Fraser) for the successful defendants in a c. £20m claim in the Commercial Court under section 423 of the Insolvency Act 1986. The claim was dismissed in its entirety by Calver J: [2024] EWHC 2976 (Comm) and gave rise to numerous substantive interlocutory skirmishes, including a trial of Preliminary Issues: [2023] EWHC 2302 (Comm) (leading Matthew Barry); Disclosure [2024] EWHC 996 (Comm)

; (late) amendments and limitation [2024] EWHC 1235 (Comm); and relief from sanctions [2024] EWHC 1804-(Comm)

*TAQA Bratani Ltd v. Fujairah Oil and Gas UKLLC*: Acted (as sole counsel) for the Claimants in these high-profile Commercial Court proceedings concerning the forfeiture of interests previously held by the Defendant in three oil and gas fields in the Brae complex; and (with David Allison KC) in related trial proceedings under section 423 of the Insolvency Act 1986 before Dias J [2024] EWHC 3146 (Comm), in which the Court of Appeal has recently granted permission to appeal.

*The Tesco Shareholders Litigation*: Acted (with David Mumford KC and Mike Watkins) defending damages claims under section 90A and schedule 10A of FSMA 2000 at various interlocutory stages, including before Hildyard J (Withdrawal of Admission) [2019] EWHC 3312 (Ch); (Specific Disclosure) [2019] EWHC 3315 (Ch); and Strike Out [2019] EWHC 2858 (Ch)

*R (on the application of) ClientEarth v. FCA and Ithaca Energy*: [2023] EWHC 3301 (Admin) (Admin) Acting (with Laurence Rabinowitz KC and subsequently, as sole counsel) for Ithaca, the interested party, in a judicial review claim commenced by ClientEarth challenging the FCA's decision to approve Ithaca's prospectus. Judgment of Mrs Justice Lang DBE [2023 EWHC 3301 (Admin)

*Watford Control Instruments Ltd v. Brown*: Acted (as sole counsel) for the successful defendant in the Chancery Division in what is likely to become one of the leading cases on the sanction for abuse of process by "warehousing". Strike Out [2023] EWHC 32 (Ch); Amendment [2023] EWHC 1501 (Ch); Chancery Appeal (Richards J) [2024] EWHC 1125 (Ch)

*Crypton Digital Assets Limited & Anr v. Blockchain Luxembourg SA & Ors*: Acted (with Sa'ad Hossain KC and as sole counsel on appeal) for the defendant in Chancery Division (IP List) proceedings involving claims for inducing breach of contract, dishonest assistance and conspiracy. Stike Out [2021] EWHC 1172 (Ch); and Chancery appeal (Mr Justice Edwin Johnson) [2021] EWHC 3194 (Ch)

• Supreme Court and Privy Council Appellate work includes:

*Hopcraft v Close Brothers Ltd*: Acting (with Laurence Rabinowitz KC) in this high-profile UKSC appeal for Close Brothers. The appeal raises important issues of law concerning the payment of commission in the context of motor finance.

*R* (on the application of) Cobalt Data Centre 2 LLP v. HMRC [2024] UKSC 40: Acted (with Laurence Rabinowitz KC) in a landmark case which will serve as a leading authority on contractual variations at common law.

*BTI 2014 LLC v Sequana SA* [2022] UKSC 25: Acted (with Laurence Rabinowitz KC) for Sequana and the former directors of its subsidiary company in this landmark case in the UKSC and the Court of Appeal. The UKSC judgment is likely to become one of the leading company law authorities of this generation and considers a number of important questions of company law concerning the duties of directors.

*Grand View Private Trust Co Ltd v. Wong & Ors (No2) (Bermuda)* [2022] UKPC 47: Acted (with Mark Howard KC and Jonathan Adkin KC) for Grand View in the Privy Council in a case that raises important questions of law concerning powers of amendment under trust deeds and the rule against perpetuities.

Enka Insaat ve Sanayi AS v. OOO Insurance Company Chubb [2020] UKSC 38: Acted (with Robin Dicker QC) for Enka in

the UKSC and the Court of Appeal in what is now the leading case on the principles for ascertaining the proper law of arbitration agreements and the role of the court of the seat of arbitration in granting anti-suit injunctions.

*Goldman Sachs International v. Novo Banco SA* [2018] UKSC 34: Acted (with Laurence Rabinowitz QC and David Caplan) for the claimants in the Supreme Court in a claim worth in excess of \$600 million. The issues before the UKSC concerned the interpretation of the EU Directive on Bank Recovery and Resolution and article 25 of the Brussels Regulation (Recast).

*Tiuta International v. De Villiers Surveyors* [2017] UKSC-77: Acted (with Joanna Smith QC and Professor Ed Peel) for Tiuta in the Supreme Court in an appeal concerning the correct approach to the assessment of damages in claims against valuers where the loan that the lender is induced to make by the negligent valuation is used to refinance a pre-existing loan.

*Arcadia Petroleum Ltd & Ors v Bosworth*: Acted (with Laurence Rabinowitz KC) in the UKSC in a case concerning the jurisdictional characterisation of conspiracy, knowing receipt, dishonest assistance and breach of fiduciary duty claims under the Brussels Regulation (Recast) and the Lugano Convention (see CJEU reference below).

• Other notable Appellate work includes:

*159-167 Prince of Wales Road RTM Company Ltd v. Assethold Ltd* [2024] EWCA Civ 1544: Acted (leading Armando Neris) for the successful appellant in an appeal concerning the right to manage (RTM) scheme in the Commonhold and Leasehold Reform Act 2002 (the CLRA). Niranjan's advocacy can be viewed here.

*Mints v. PJSC National Bank Trust* [2023] EWCA Civ 1132: Acted (with Laurence Rabinowitz KC) for the Second and Third Defendants in this complex litigation, which has given rise to important judgments concerning issue estoppel and abuse of process and the impact of the UK sanctions regime on civil litigation.

*Société Générale v Goldas* [2018] EWCA Civ 1093: Acted (with Laurence Rabinowitz QC) for Société Générale in the Court of Appeal in a claim worth around \$480 million. The issues before the CA included the interpretation of CPR rule 6.15 and the law governing the enforcement of a cross-undertaking in damages.

*Watford Control Instruments Ltd v. Brown*: Acted (as sole counsel) for the successful defendant in the Chancery Division in what is likely to become one of the leading cases on the sanction for abuse of process by "warehousing". Strike Out [2023] EWHC 32 (Ch); Amendment [2023] EWHC 1501 (Ch); Chancery Appeal (Richards J) [2024] EWHC 1125 (Ch)

*Crypton Digital Assets Limited v. Blockchain Luxembourg SA*: Acted (as sole counsel on appeal) for the defendant in Chancery Division (IP List) proceedings involving claims for inducing breach of contract, dishonest assistance and conspiracy. Stike Out [2021] EWHC 1172 (Ch); and Chancery appeal (Mr Justice Edwin Johnson) [2021] EWHC 3194-(Ch)

• CJEU work includes:

*Bosworth & Anr v. Arcadia Petroleum Limited*: Acted (with Mark Howard QC) on a reference to the CJEU First Chamber from the UKSC concerning jurisdiction and recognition and enforcement of judgments in civil and commercial matters. Judgment of the Chamber (Case C-603/17) [2019] WLR(D) 219

# **Examples of Recent Cases**

## **Commercial Litigation**

• Invest Bank v El-Husseini

Acted (leading Constantine Fraser) for the successful defendants in a c. £20m claim in the Commercial Court under section 423 of the Insolvency Act 1986. The claim was dismissed in its entirety: [2024] EWHC 2976. (Comm); and the litigation also gave rise to a number of important judgments on freezing injunctions, the recognition of foreign judgments, disclosure under PD57AD, amendment applications and limitation: see [2023] EWHC 2302 (Comm), [2023] EWHC 3350 (Comm), [2024] EWHC 996 (Comm), [2024] EWHC 1235. (Comm)

- *Hopcraft v Close Brothers Ltd*: Acting (with Laurence Rabinowitz KC) in this high-profile Supreme Court appeal for Close Brothers. The appeal raises important issues of law concerning the payment of commission in the context of motor finance.
- *Enka Insaat ve Sanayi AS v OOO "Insurance Company Chubb* [2020] UKSC 38; [2020] EWCA Civ 574 Acted (with Robin Dicker QC) in the Supreme Court and the Court of Appeal in what is now the leading case on the principles for ascertaining the proper law of arbitration agreements and the role of the court of the seat in granting anti-suit injunctions.

• 159-167 Prince of Wales Road RTM Company Ltd v Assethold Ltd [2024] EWCA Civ 1544 Acted (leading Armando Neris) for the successful appellant in an appeal in an appeal concerning the right to manage scheme in the Commonhold and Leasehold Reform Act 2002. The appeal raised complex issues of law concerning estoppel by representation and estoppel by convention. Niranjan's advocacy can be viewed here

### • Grand View PTC v Wong

Acted (with Mark Howard KC) for Grand View in the Privy Council in a case that raises important questions of law concerning powers of amendment under trust deeds and the rule against perpetuities

### • BTI 2014 LLC v Sequana SA

Acted (with Laurence Rabinowitz KC) in the Supreme Court and the Court of Appeal for Sequana and the former directors of its subsidiary. The Supreme Court's judgment is likely to become one of the leading company law authorities of this generation and considers a number of important questions of company law concerning the duties of directors.

• WCLv Brown

Acted (as sole counsel) for the successful defendant in the Chancery Division defending a claim for breach of fiduciary duty. The case was struck out in its entirety. The case has already given rise to important judgment concerning the doctrine of abuse of process by warehousing and the joinder of parties after the arguable expiry of a limitation period.

### • PJSC NBT v Mints

Acted (with Laurence Rabinowitz KC) for the Second and Third Defendants in this complex litigation, which has given rise to an important judgment concerning issue estoppel and abuse of process and about the impact of the UK sanctions regime on civil litigation.

### • LCIA Arbitration

Acted (with Mark Howard QC) in successfully defending a c.\$2 billion claim in an LCIA arbitration arising out of a Shareholders' Agreement

### • TAQA Bratani v FOGUK

Acting (as sole counsel and with David Allison KC) for the Claimants in these high-profile Commercial Court proceedings arising out of the forfeiture of interests previously held by the Defendant in three oil and gas fields in the Brae complex.

### • Crypton Digital Assets Ltd v Blockchain

Acted for the defendant in these Chancery Division (IP List) proceedings involving claims for inducing breach of contract, dishonest assistance and conspiracy. See [2021] EWHC 1172 (Ch) where Niranjan appeared as sole advocate in an application concerning the principles governing pleading and particularising allegations of fraud.

- *AvB*: Acting (as sole counsel) for the claimant in a c.\$7.5 million ICC arbitration arising out of the pharmaceutical industry
- Advanced Formulations v Personnel Hygiene Services Ltd: Acted (as sole counsel) for the claimant in Commercial Court proceedings in a breach of contract claim arising out of the supply of non-alcoholic hand sanitiser to PHS

### • Goldman Sachs International v Novo Banco [2018] 1 WLR 3683

Acted (with Laurence Rabinowitz QC and David Caplan) for the claimants in the Supreme Court in a claim worth in excess of \$600 million. The issues before the Supreme Court concern the interpretation of the EU Directive on Bank Recovery and Resolution and article 25 of the Brussels Regulation (Recast).

• Tiuta International Ltd v De Villiers [2017] 1 WLR 4627

Acted (with Joanna Smith QC and Ed Peel) for Tiuta in the Supreme Court in a case concerning the correct approach to the assessment of damages in claims against valuers where the loan that the lender is induced to make by the negligent valuation is used to refinance a pre-existing loan.

### • Société Générale v Goldas [2019] 1 WLR 346

Acted (with Laurence Rabinowitz QC) for Société Générale in the Court of Appeal in a claim worth around \$480 million. The issues before the Court of Appeal include the interpretation of CPR rule 6.15 and the law governing the enforcement of a cross-undertaking in damages.

• Stanford International Bank v Proskauer Rose LLP

Acted (with Laurence Rabinowitz QC) for Proskauer Rose LLP in the Eastern Caribbean Court of Appeal and the High Court of Antigua in Proskauer's successful challenge to jurisdiction. The appeal arose out of a c. \$1 billion claim brought by the liquidators of Stanford International Bank for alleged breach of duty in failing to detect and report a Ponzi scheme.

• Acted (with Laurence Rabinowitz QC, Charles Kimmins QC and others) for the defendant in Commercial Court proceedings resisting the enforcement of a \$1.2 billion LCIA arbitral award. The case, which settled shortly before the hearing, involved questions relating to the English choice of law rule for arbitration agreements in the light of Sulamerica v Enesa and the scope of section 66 of the Arbitration Act.

### • Arempa International v Barclays Bank (UK) plc

Acted (as sole counsel) in a Commercial Court claim arising out of an authorised push payment or 'APP' fraud. The claim raised issues concerning the availability of a claim against the recipient bank in negligence or unjust enrichment. Settled in January 2020. Niranjan has subsequently advised on a number of claims arising out of APP fraud.

## Arbitration

### • LCIA Arbitration

Acted (with Mark Howard QC) in successfully defending a c.\$2 billion claim in an LCIA arbitration arising out of a Shareholders' Agreement

### • UNCITRAL Arbitration.

Acted (with Laurence Rabinowitz KC) in a c.\$300 million ICC arbitration concerning the oil and gas industry

### • ICC Arbitration

Acted (as sole counsel) for the successful claimant in an ICC arbitration arising out of a distribution agreement in the pharmaceutical industry

• *Enka Insaat ve Sanayi AS v OOO "Insurance Company Chubb*-[2020] UKSC 38; [2020] EWCA Civ 574 Acted (with Robin Dicker QC) in the Supreme Court and the Court of Appeal in what is now the leading case on the principles for ascertaining the proper law of arbitration agreements and the role of the court of the seat in granting anti-suit injunctions.

### • ICC Arbitration

 $\label{eq:Acted} Acted \, (with James \, Brocklebank \, QC) \, in a 10 \mbox{-} day \, ICC \, arbitration \, in \, June \, 2021 \, concerning \, the \, pharmaceutical industry.$ 

- Acted (with Laurence Rabinowitz QC, Charles Kimmins QC and others) for the defendant in Commercial Court proceedings resisting the enforcement of a \$1.2 billion LCIA arbitral award. The case, which settled shortly before the hearing, involved questions relating to the English choice of law rule for arbitration agreements in the light of Sulamerica v Enesa and the scope of section 66 of the Arbitration Act.
- Acted (as sole counsel) in a RICS arbitration in a claim for damages for the negligent management of a property.

## **Banking and Financial Services**

- *Hopcraft v Close Brothers Ltd*: Acting (with Laurence Rabinowitz KC) in this high-profile Supreme Court appeal for Close Brothers. The appeal raises important issues of law concerning the payment of commission in the context of motor finance.
- Goldman Sachs International v Novo Banco [2018] 1 WLR 3683

Acting (with Laurence Rabinowitz QC and David Caplan) for the claimants in the Supreme Court in a claim worth in excess of \$600 million. The issues before the Supreme Court concern the interpretation of the EU Directive on Bank Recovery and Resolution and article 25 of the Brussels Regulation (Recast).

• Arempa International v Barclays Bank (UK) plc

Acted (as sole counsel) in a Commercial Court claim arising out of an authorised push payment or 'APP' fraud. The claim raised issues concerning the availability of a claim against the recipient bank in negligence or unjust enrichment. Settled in January 2020. Acting (as sole counsel) in the Commercial Court in an application for pre-action disclosure and a potential claim arising out of an 'authorised push payment fraud'

## **Energy and Natural Resources**

### • UNCITRAL Arbitration

Acting (with Laurence Rabinowitz KC) in a c.\$300 million ICC arbitration concerning the oil and gas industry

### • Afren v Shahenshah and others

Acted (with Andrew Lodder) in a major Commercial Court action defending a c. \$1 billion claim for conspiracy, bribery, dishonest assistance, knowing receipt, breach of contract and other causes of action. The dispute arose out of the development of an oilfield in Nigeria.

## **Trusts and Equity**

• *Hopcraft v Close Brothers Ltd*: Acting (with Laurence Rabinowitz KC) in this high-profile Supreme Court appeal for Close Brothers. The appeal raises important issues of law concerning the payment of commission in the context of motor finance.

### • Grand View PTC v Wong:

Acting (with Mark Howard KC and Jonathan Adkin KC) for Grand View in the Privy Council in a case that raises fundamental questions of law concerning (inter alia) powers of amendment under trust deeds, the nature of discretionary trusts, the correct analysis of the beneficiary principle and the rule against perpetuities

• WCIv Brown

Acting (as sole counsel) for the director defendant in the Chancery Division defending a claim for breach of fiduciary duty. The case has already given rise to important judgment concerning the doctrine of abuse of process by warehousing and the joinder of parties after the arguable expiry of a limitation period.

## What the Directories Say

Chambers & Partners 2025 (Energy & Natural Resources) Niranjan's work is truly excellent and his drafting is particularly impressive.

Niranjan Venkatesan has an encyclopaedic knowledge of the law.

Niranjan has a brain the size of a planet and he has an appetite for crunching through documents.

**Chambers & Partners 2025 (Commercial Dispute Resolution)** Responsive, all over the detail, and someone who's around when you need him. He grasps all of the issues in a case and is utterly brilliant

Niranjan is everyone's go-to junior barrister. A man with a brilliant mind, he's a certain future leader of the Commercial Bar.

Incredibly clever, diligent and a clear thinker, he gets in all of the big cases and is often in the Supreme Court.

Niranjan is absolutely brilliant. He is very calm under pressure and he has an incredibly sharp and insightful mind.

Niranjan has such a beautiful mind. He is very clever and has that ability to distil extremely complex matters into

simple concepts.

Legal 500 2025 (Banking & Finance Including Consumer Credit) "Niranjan is as tenacious as he is astute with an unwavering commitment to getting the best outcome for his client. He is strategic and goes above and beyond consistently. He is consistently technically excellent.."

Legal 500 2025 (Commercial Litigation) "Niranjan is truly one of the most remarkable advocates. His eloquence and profound grasp of both common law and statute down to the granule detail make him a formidable presence as an opponent."

Legal 500 2025 (Energy) "Niranjan is truly one of the most remarkable advocates. His eloquence and profound grasp of both common law and statute down to the granule detail make him a formidable presence as an opponent."

Legal 500 2025 (Insolvency) "Niranjan is one of the most impressive advocates, without doubt. He is exceptionally astute and technically excellent, as well as meticulously detailed-orientated."

**Chambers & Partners 2024 (Commercial Dispute Resolution)** "A genius." "Niranjan is probably one of the most intelligent barristers. He has the ability to get to the heart of a case." "Niranjan has an exceptional mind. His analysis of a case is first class."

Legal 500 2024 (Banking & Finance) 'Niranjan is an intellectual powerhouse and an extremely user-friendly barrister. His written advocacy is particularly persuasive and noteworthy.'

Legal 500 2024 (Commercial Litigation) 'Niranjan is an exceptional lawyer. He is phenomenally bright and despite his tremendous ability, he is always humble and ready to help any member of the team.'

Legal 500 2024 (Insolvency; and Energy & Natural Resources) 'Niranjan is an extremely bright barrister. He comes up with innovative solutions to legal problems, and is very hard working and responsive to requests.'

**Chambers & Partners 2023 (Commercial Dispute Resolution)** "His ability to get on top of the issues and complicated matters in a case at speed is astonishing." "Niranjan is brilliant, user-friendly and responsive." "Very clever and highly collaborative."

Legal 500 2022 (Banking & Finance) "His advocacy was very powerful, underpinned by brilliant preparation and delivered with a style that was tailored to his judge. He is a future superstar";

Legal 500 2022 (Commercial Litigation) "Niranjan is in a class of his own. He is exceedingly bright, has an encyclopaedic knowledge of the law, is passionate about what he does, charming to work with and a positive and supportive team member.'

**Chambers & Partners 2022 (Commercial Dispute Resolution)** "He is one of the most in-demand juniors at the moment. He has encyclopaedic knowledge and always listens to and incorporates the solicitor's views."

## Education

- University of Oxford DPhil for the thesis 'Damages for Misrepresentation in English Law'
- BCL (top in year, Vinerian Scholarship, three subject prizes)

#### • National Law School of India University

BA LLB (Hons) (top in year, twelve University Prizes, Chief Editor of the Law Review)

## Academic Achievements

- Eldon Scholarship (awarded each year to the most promising graduate of the University of Oxford intending to practise at the Bar)
- Vinerian Scholarship for best performance in the BCL (Restitution of Unjust Enrichment, Conflict of Laws, Personal Taxation, Evidence)
- John Morris Prize for best performance in the Conflict of Laws
- Rupert Cross Prize for best performance in Evidence
- Gray's Inn Tax Chambers Prize for best performance in Personal Taxation
- Rhodes Scholarship, University of Oxford
- Clarendon Scholarship, University of Oxford
- Twelve University Prizes as an undergraduate at the National Law School of India University including the Indira Khaitan Prize for University First Rank, the Justice Menon Prize for Best Graduating Student and the Subba Rao Prize for best performance in contract law.
- Indian National Champion and Quarter-finalist in the International Rounds, Philip C Jessup International Law Moot Court Competition
- Richard Baxter Award for Second Best Respondent Memorial in the World and Fourth Best applicant Memorial in the World, Philip C Jessup International Law Moot Court Competition
- Eighth Best Advocate in the World, Philip C Jessup International Law Moot Court Competition
- Honourable Mention for Advocacy at the Willem C Vis International Commercial Arbitration Moot Court Competition, Vienna

## **Previous Experience**

- Called to the Indian Bar
- Lecturer, University of Oxford Lecturer in Law at Lady Margaret Hall, Oxford (2014-15)

## **Selected Publications**

- 'Causation in misrepresentation: historical or counterfactual? And "but for" what?' (2021) 137 *Law Quarterly Review* 503
- (co-authored with Ian Glick KC) 'Choosing the Law Governing the Arbitration Agreement' in N Kaplan and M Moser (eds), Jurisdiction, Admissibility and Choice of Law in International Arbitration (Wolters Kluwer 2018)
- (co-authored with Laurence Rabinowitz KC) 'Restitution and Unjust Enrichment: 2017-18' in D Clarry (ed), The UK Supreme Court Yearbook vol 9 (2018)
- **'The Contract Remoteness Rule: Exclusion, not Assumption of Responsibility**' in A Dyson, J Goudkamp and F Wilmot-Smith (eds), Defences in Contract (2017) (paper presented at All Souls College, Oxford in January 2016)
- 'Specific and Agreed Remedies for Breach of Contract in Indian Law: A Code of English Law?' in M Chen-Wishart, A Loke and B Ong (eds), Performance Interest in the Contract Laws of Asia (OUP 2016) (paper presented at the National University of Singapore)
- 'Legislative Competence: The Union and the States' in the Oxford Handbook to the Indian Constitution (OUP 2016)

## Awards





## **Contact Clerks**



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