

CHANDAN KUMAR

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AREA OF INTEREST

- Dispute Resolution: Litigation & Arbitration; Energy, Regulatory & Policy.

EDUCATIONAL QUALIFICATIONS

- **X Semester, B.Com. LL.B. (Hons.)**, Batch 2019-24, **CGPA: 7.83**.
- **Class XII**, College of Commerce, Bihar School Education Board, 73.2%.
- **Class X**, Satyam International School, Central Board of Secondary Education, 10 CGPA.

INTERNSHIPS

- **Current: Indus Law, Delhi [December 2023]**
- **Shardul Amarchand Mangaldas & Co., Delhi [17th July – 04th August 2023]**
 - Researched on (i) court through its interpretative process cannot rewrite or create a new contract between parties; (ii) a contract has to be enforced as against the contracting party and not against a third party, who is not bound by the terms thereof; (iii) circumstances as stood on the date of application has to be considered while taking decision of the application.
 - Prepared research notes on (i) the procedure on transfer of shares in a company to other shareholders; (ii) laws relating to autism in India including legal provisions, government schemes, and other initiatives by private bodies; (iii) Resolution Professional acts at the behest of Committee of Creditors.
- **HSA Advocates, Delhi [01st June – 30th June 2023]**
 - Researched on (i) court cannot compel parties to enter into a contract; (ii) granting a stay on the operation of an order does not amount to quashing of an order; (iii) applicability of Order 2 Rule 2 of the CPC to the proceedings of tariff determination before Electricity Regulatory Commissions.
 - Prepared research notes on (i) Open Access and Captive Generation under Electricity Act, Rules, and Regulations; (ii) KERC Tariff Order 2023; (iii) whether Distribution Companies (DISCOMs) are bound to pay delayed / late payment surcharge on the outstanding dues of Generating Companies after due date.
- **J. Sagar Associates, Delhi [02nd January – 03rd February 2023]**
 - Researched on (i) conflict of laws in International Commercial Arbitration wherein contract does not specify the law governing contract and a possible dispute with the laws where award will be executed; (ii) a protection has been granted by a court under section 9 of the Arbitration and Conciliation Act, 1996 restraining one party from acting against the interest of the joint venture company; (iii) grounds / plea that was not raised during arbitration proceedings before the Arbitral Tribunal cannot be raised in appeal u/s 34 of the Arbitration and Conciliation Act, 1996.
 - Prepared (i) research note on judgments stating that third party can be a part of arbitration proceedings; (ii) draft affidavit of evidence in an arbitration matter; (iii) research note on if a conditional award has been passed under the Arbitration and Conciliation Act, 1996.
- **HSA Advocates, Delhi [01st July – 29th July 2022]**
 - Researched on (i) can an appeal be filed against an order passed in execution petition without challenging the main order; (ii) financial hardship is not the justifiable ground for not discharging the liability under PPAs; (iii) a Decree / Order passed by court of competent jurisdiction remains binding on parties even if it is challenged in appeal or revision, unless it is stayed by superior court.

- Prepared research notes on (i) conditions for grant and refusal of Distribution License for the State of Andhra Pradesh as per the Electricity Act, 2003; (ii) a presentation for setting up a captive renewable energy wind-solar hybrid power plant.
- **SAMVĀD Partners, Chennai** [01st June – 30th June 2022]
- Researched on (i) Relevance of no-objection certificate u/s 281 of the Income Tax Act, 1961 as a mandatory ‘conditions precedent’ in any merger and acquisition transaction; (ii) Grounds of non-patentability u/s 3(i) of the Patents Act, 1970; (iii) Significance of Revenue Stamps on deeds.
- Assisted in (i) Drafting a Share Purchase Agreement; (ii) preparing a Compliance checklist of regulatory licenses and approvals required to be in place for a drug manufacturer & diagnostic service providing company.
- **Thomas George & Associates, Hyderabad** [02nd May – 31st May 2022]
- **DSK Legal, Delhi** [01st November 2021 – 31st January 2022]
- **SKV Law Offices, Delhi** [04th June – 04th July 2021]
- **Mr. Shishir Prakash, Advocate, Supreme Court of India** [04th February – 04th March 2021]
- **G.R. Associates, Chennai** [26th December 2020 – 26th January 2021]

PUBLICATIONS

- Article – “*The Role and Duties of Company Promoter Vis-À-Vis Pre-Incorporation Contracts: A Critical Analysis*”, Legis Sententia | Department of Law, University of Calcutta (03rd September 2023).
- Long Article – “*CCI, Sectoral Regulators, and Jurisdictional Quandary: Finding an effective approach in India with an Emphasis on TRAI and Electricity Commission*”, CCLP (Centre for Competition Law and Policy) Newsletter | NUALS (Volume 2 Issue 2).
- Article – “*The Essence of Due Process in the Indian Constitution*”, Manupatra (07th October 2021).
- Article – “*Media Trial: Freedom of Speech vs Fair Trial*”, Manupatra (21st September 2021).
- Article – “*Obligations of an Agent in a Contract of Agency: A Comparative Analysis to the English Laws*”, Truth and Youth Online Mag Journal (19th July 2021).
- Case Comment – “*Right of Maintenance to Women in Live-In Relationships – A Critical Comment on Indra Sarma v. V.K.V. Sarma*”, Indian Journal of Law, Polity and Administration, (2020) 1 IJLPA 880.
- Blog – “*Indian Judiciary – inducing activism or leading towards overreach*”, Ipleaders (22nd June 2021).
- Blog – “*Life During Pandemic: COVID-19, Domestic Violence & Family Abuse*”, Lex Humanitariae (14th September 2020).

EXTRA-CURRICULAR ACHIEVEMENTS

- Speaker, ***Semi-finalist*** in 12th UPES-Dr. Paras Diwan Memorial International ‘Energy Law’ Moot Court Competition, 2022.
- Researcher, 1st KLELC National Constitutional Law Moot, 2021.
- Certificate Course on Law and Practice of Insolvency and Bankruptcy by National Law University, Delhi in association with Insolvency and Bankruptcy Board of India (IBBI), July 2022.
- Certificate Course on ‘Commercial Mediation for the 21st Century Lawyer’ by Mediator Academy.
- Secured Rank 3, observer for the experiment (Preparation of Temporary Mounts of an Onion Peel) in the 12th State Level Science Exhibition, Patna, 2013 organized by Vidya Bharti.

REFERENCES

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| 1. Name: Ms. Parichita Chowdhury | 2. Name: Mr. Ashutosh Srivastava |
| Designation: Principal Associate, HSA Advocates, Delhi | Designation: Counsel, SKV Law Offices, Delhi |
| Email ID: parichita.chowdhury@hsalegal.com | Email ID: ashutosh@skvlawoffices.com |
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I hereby declare that all the information provided above is true to the best of my knowledge and the facts therein are stated correctly.