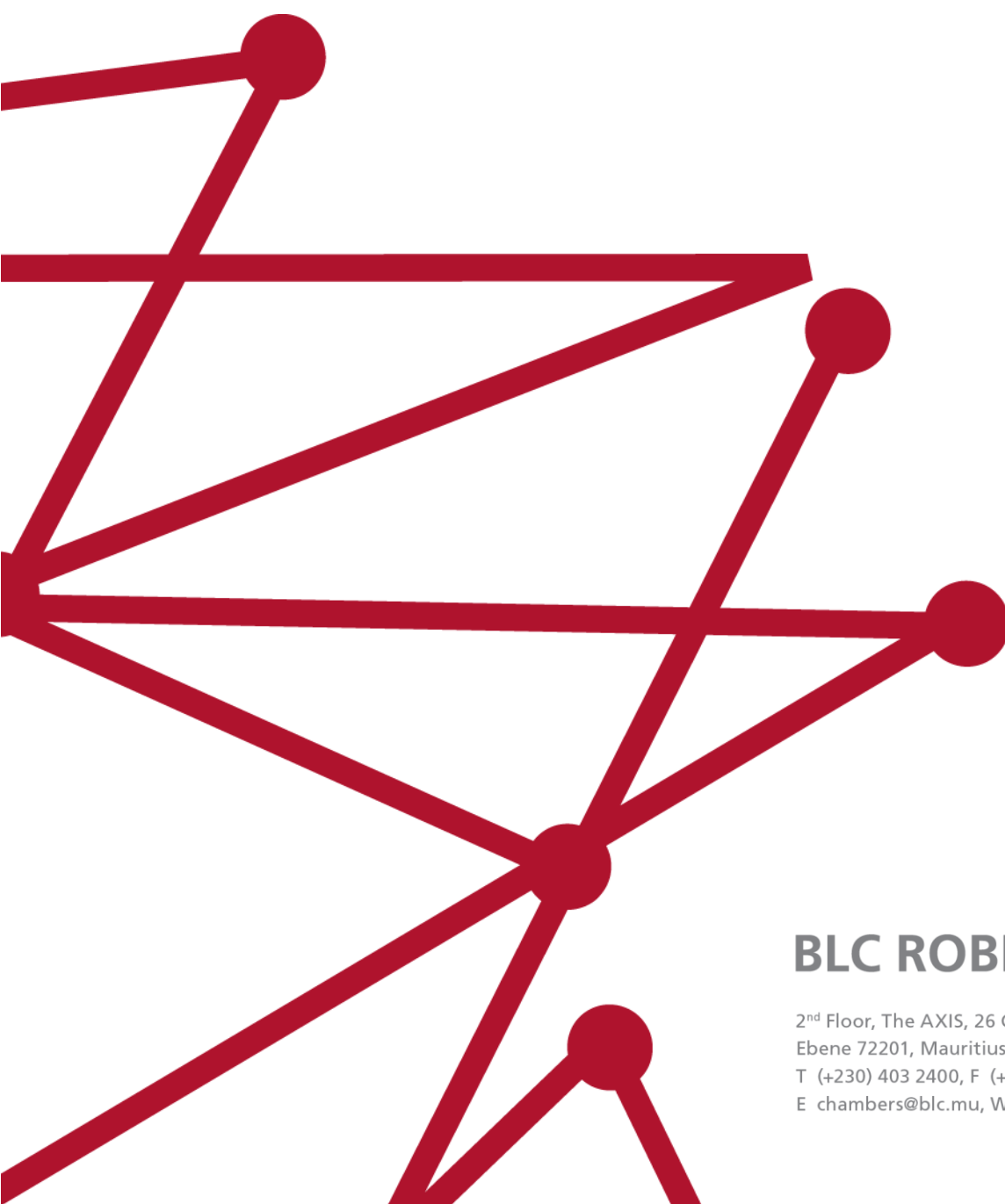


# MUSHTAQ NAMDARKHAN

PROFILE



**BLC ROBERT ALN** 

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## MUSHTAQ NAMDARKHAN

PARTNER

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### BACKGROUND

**Mushtaq Namdarkhan** is a Partner at BLC Robert & Associates in the Dispute Resolution practice area. He is mainly involved in corporate/commercial litigations and arbitrations as well as insolvency and restructuring transactions. Mushtaq regularly appears before the Supreme Court of Mauritius in shareholder disputes, banking litigation and construction disputes among others. He appears before the Designated Judges in applications involving the International Arbitration Act and the Convention for the Recognition and Enforcement of Foreign Arbitral Awards Act. He is also involved in a number of high-value domestic and international commercial arbitrations.

Mushtaq has co-authored the BLC Robert publication “Why Mauritius? A National Court in Support of International Arbitration” in 2016 and has regularly contributed to the “Chambers Global Practice Guides” on Insolvency and Litigation. He also intervenes as a speaker at several international arbitration conferences, including the East Africa International Arbitration Conference.

Prior to joining BLC Robert, Mushtaq was in the Restructuring and Insolvency Group at the London office of Herbert Smith (now Herbert Smith Freehills).

### ACCOLADES

- Distinguished as a “*Leading Juniors and Next Generation Partners*” by Legal500 EMEA 2023.
- Ranked in “*Chambers Global 2024*” by Chambers and Partners.

### MEMBERSHIP IN PROFESSIONAL SOCIETIES

- Honourable Society of Gray's Inn
- Mauritius Bar Association
- MARC 45 (Association of young arbitration practitioners under the aegis of the Mauritius Chamber of Commerce and Industry Arbitration Centre)
- Country coordinator, Africa Construction Law

- Board member, Lagos Chamber of Commerce International Arbitration Centre

## PROFESSIONAL QUALIFICATIONS

2019	Diploma in International Arbitration, CIArb
2016	Diploma in Civil Law, Université de la Réunion
2010	Admitted to the Roll of Solicitors of England and Wales
2008	Sworn in as a barrister, Republic of Mauritius
2006	LL.M (Commercial Law), University of Cambridge, England
2005	Called to the Bar of England and Wales, Gray's Inn
2004	MA (Hons) Law, University of Cambridge, England

## CAREER SUMMARY

2015 - Date	External member, Monetary Policy Committee of the Bank of Mauritius
2018 - Date	Partner, BLC Robert & Associates
2015 – 2018	Senior Associate, BLC Robert & Associates
2012 – 2015	Associate, BLC Robert & Associates
2010 – 2012	Associate, Finance Division (Restructuring and Insolvency Group), Herbert Smith LLP, London Office
2008 - 2010	Trainee, Herbert Smith LLP, London Office (Equity Capital Markets, Restructuring and Insolvency, Construction Litigation and Tax)


## AREAS OF EXPERTISE

- Commercial litigation and dispute resolution
- Domestic and international arbitration
- Corporate Restructuring and Insolvency
- Insolvency Litigation
- Construction law

## TOP MATTERS

- Acting for a major petroleum supplier in obtaining freezing injunctions and executory attachment orders against a purchaser in order to protect and enforce an international arbitral award in excess of USD 10 Million.
- Acting for Devas companies, their shareholders, and directors in various proceedings before the Supreme Court of Mauritius to resist administration orders and anti-arbitration injunction, related to long-standing disputes with the Republic of India.
- Successfully acting for an overseas subcontractor in a MUR 60 Million dispute against a renowned contractor in Mauritius in respect of a construction project in Mauritius.

- Acting for investor funds in successfully defending a challenge before the Designated Judges of the Supreme Court and Judicial Committee of the Privy Council to an international arbitral award in excess of USD 25 Million in their favour against the investee company.
- Acting for a major domestic bank before the Commercial Division of the Supreme Court in defending a USD 16 Million claim against it by a former client for alleged foreign exchange losses.
- Acting for a major domestic contractor on a MUR 100 Million construction dispute with a luxury property developer, initially in an arbitration and subsequently in court proceedings before the Commercial Division of the Supreme Court.
- Appearing before the Designated Judges of the Supreme Court on the successful application by shareholders of a UAE joint venture to obtain interim injunctions in support of foreign arbitration proceedings to suspend the effects of shareholder resolutions in Mauritius.
- Acting for the majority shareholder in pending and anticipated litigation in the Commercial and Bankruptcy Divisions of the Supreme Court to resolve shareholder and boardroom disputes relating to a global business company with a large Pan-African asset base.
- Successfully acting for the majority shareholder of a global business company in an international arbitration started by a minority shareholder alleging unfair prejudice and seeking a buy-out of USD 1.3 Million.
- Acting for one of the oil companies in Mauritius in an arbitration with a retail dealer referred to arbitration.
- Acting for the bondholders on the default of a USD 80 Million bond issue by an Indian-listed company in successfully obtaining freezing orders, attachment orders and executory orders in the Mauritian jurisdiction.
- Acting for the administrators of Air Mauritius Ltd, the national airline carrier, on its administration and successful exit therefrom via a MUR 12.5 Billion deed of company arrangement.
- Acting for the receiver of Century Banking Corporation, the only Islamic bank in Mauritius, following the revocation of its banking licence by the Bank of Mauritius in August 2020.
- Acting for Deloitte Mauritius partners as administrators of a major textile manufacturer (Star Knitwear) on the successful exit of that company from administration following a MUR 1 billion takeover.
- Acting for Beijing Construction and Engineering Group of a MUR 1.8 Billion residential project on the successful takeover of that project out of its liquidation.

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- Acting for PwC Mauritius partners as administrators of the promoters of the Port Chambly hotel and residential development on the successful exit of the companies from administration involving a takeover and restructuring of debts in excess of MUR 600 Million.