



Gaurav Rai
Advocate & Arbitration Consultant

Education

Master of Laws (LL.M) University College London (UCL),
UK (2016)

B.B.A. LL.B. (Hons.), National Law University Odisha,
India (2015)

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INDICATIVE EXPERIENCE

With experience of over 9 years in Arbitration and Commercial Litigation, Gaurav Rai has created a niche and expertise in Arbitration Law and disputes relating to Construction Law, Contract Law and Sale of Goods.

He graduated from National Law University Odisha with a BBA.LLB (Hons.) degree in 2015 and a Master of Laws (LLM) from University College London, UK, in 2016 specializing in Business and Finance Laws with a focus on arbitration and international law of foreign investment.

He began his professional journey working as a Tribunal Secretary and Legal Assistant to renowned Former Supreme Court Judge, Justice A.K. Patnaik. He assisted him in over 50 arbitration matters, in ad hoc and institutional setups of SIAC & ICC, from February 2017 to December 2020.

Having experienced Arbitration from the Arbitrator's perspective, he switched roles and started practicing as an Advocate, representing clients in arbitrations. He worked with AKS Partners, Legafin Law Associates and C&S Partners for over 4 years (2021 - 2025) as an Associate, Senior Associate and finally a Managing Associate. He represented and advised clients on diverse areas of commercial law and disputes in various sectors such as Construction, Insurance, and Sale of Goods, Commodities & Services.

Gaurav Rai has written more than 20 academic articles on Arbitration and Contract Law and his articles have been published in international SCOPUS indexed journals such as International Arbitration Law Review, Liverpool Law Review.

In April 2019, Gaurav Rai along with Gautam Mohanty Co-founded [The Arbitration Workshop](https://www.the-arbitration-workshop.com/), which is an online blog focusing on the issues and workings of Arbitral Tribunals in India and the law relating to arbitration and contracts. The blog has drawn writers from various spectra of professionals related to Arbitration. The blog specializes in deep diving on issues which affect arbitration on a day-to-day basis. In 2025, Feedspot, ranked the Arbitration Workshop Blog 8th in the Top 20 Arbitration Blogs in the world.

Select Work Experience relating to arbitration.

Founder, The Arbitration Consultant

(1st August 2025 – present)

- Assisting a Former Judge of the Supreme Court of India in arbitration related queries and research notes on an assignment basis.
- Assisting a Former Judge of the Supreme Court of India in drafting awards in arbitration matters.
- Appointed as a Tribunal Secretary in a Road Construction Dispute in a 3-member arbitral tribunal.
- Assisting a Retd. Judge of the High Court of Delhi in drafting of an award relating to a construction dispute between a builder and a Municipal Corporation.
- Assisted a Retd. Judge of the High Court of Delhi as a Tribunal Secretary in a construction arbitration related to construction of a housing project in Delhi NCR.
- Representing a supplier of MRI machine in an arbitration dispute against a buyer (Medical College) involving issues of delayed payment and consequent obligations of the parties.

Managing Associate, C&S Partners

(1 November 2023 – 31 July 2025)

Oil & Gas

- Represented a Public Sector Oil & Gas company in its disputes relating to a gas well blowout and subsequent claims arising out of loss caused to the Company due to the negligence on the part of the service provider / rig operator

Supply of Goods

- Represented one of India's largest supplier of rice in its dispute with purchaser involving issues of force majeure and discharge from the performance of the contract due to destruction of goods post entering into the agreement to sell.

Dispute relating to lease rental of Vehicles & Maintenance services

- Represented a private company in its dispute regarding the quantification of the outstanding amounts towards lease rentals and including issues of fraud on the part of the leasing company due to assignment of the receivables under the agreement to a third party without previous intimation to the lessee regarding the assignment.
- Represented a private company in its dispute regarding the maintenance of the vehicles leased for waste management project involving issues of sale of ongoing arbitration as an asset since the company providing maintenance services underwent liquidation.

Senior Associate, Legafin Law Associates

(5 October 2021 – 31 October 2023)

Construction & Services Contracts

- Successfully represented a Public Sector organization in a road construction contract for claims brought by the private contractor on termination of a contract. The claims of 450 Crores were dismissed and costs were awarded in favour of the Respondent.
- Successfully represented a Public Sector organization brought by the Architect against the termination of its contract for delay. Out of the total claim of 2.5 Crore, claims worth 70 Lakhs were allowed only to the extent of dues arisen for services already provided however the claims for damages arising out of the termination were dismissed by the arbitral tribunal.
- Drafted 2 petitions under Section 34 and represented a Government of India organization in a challenge of an arbitral award on the grounds of patent illegality & public policy for not following the terms of the

contract and ignoring evidence led by the client regarding delay and slow progress of the work by the contractor.

- Represented and successfully defended a Public Sector Highway Construction Organization in 8 matters pertaining to Section 9 interim reliefs and writ petitions against blacklisting / debarment filed by the Contractors before the Hon'ble High Court of Delhi.
- Represented a Government of India organization in a challenge of an arbitral award on the grounds of patent illegality for grant of damages without evidence of quantification of loss.
- Represented a Public Sector organization before the Hon'ble High Court of Delhi in a challenge to an arbitral award in a road construction contract for claims brought by the private contractor for damages due to delays caused in the completion of the contract.
- Represented a public sector rail services provider in 3 arbitration pertaining to disputes with sub-contractors.

Insurance

- Represented a public sector insurance company in challenge of an arbitral award on the ground that the award was in disregard of the principles of insurance contract law.

Associate, AKS Partners

(4 January 2021 – 28 September 2021)

Commercial Arbitration

Representation

- Represented a public sector undertaking in an arbitration before a Sole Arbitrator for claims brought by the opposite party for termination of contract.

Drafting

- Drafted a Notice Invoking Arbitration on behalf of the Claimant.
- Drafted a Rejoinder to the Statement of Defence to the Counterclaims of the Respondent (Client)(Public Sector Undertaking).
- Assisted in drafting an application under Section 9 requesting for the interim relief of allowing the applicant to remove equipment from the premises of the Respondent.
- Assisted in Drafting an arbitration award by the Sole Arbitrator, Mr. Sonal Kumar Singh on issues related to deficiency in service by an advertising agency.

Arguments

- Argued and received a favourable order on behalf of the client in a Section 36(2) application for stay of enforcement of the arbitral award before the New Delhi District Court at Patiala House.

Investment Treaty Arbitration

- Representing a Dutch company with Indian Shareholders against the Host State in an investment treaty arbitration.
 - Prepared notes on legal issues for internal discussion and to answer queries of the third-party funders
 - Prepared a consolidated funding memo – laying out the relevant facts of the case and the legal submissions.

Legal Retainership, Justice R.V. Raveendran, Former Judge, Supreme Court of India

(1 September 2020 – 31 December 2020)

- Prepared short notes on queries posed by Justice Raveendran on issues of arbitration law.
- Reviewed and edited articles written by Justice Raveendran. My contribution was acknowledged in his book *Anomalies in Law & Justice*.

Legal Assistant, Justice A.K. Patnaik (Retd.), Former Judge, Supreme Court of India

(16 February 2017 – 31 December 2020)

Arbitration relating to Insurance Disputes

- Assisted in drafting of an award on a claim for enhanced insurance payout in a fire insurance policy for damage occurred to property, plant and machinery due to fire accident.
- Assisted in drafting of an award relating to an insurance claim for burnt and water damaged sarees in a wholesale shop.

Construction Arbitration

- Assisted in drafting of an award on a claim by the employer in a Concession Agreement towards Negative Change of Scope for non-fulfilment of Minimum Finished Road Levels in a Road Construction Contract.
- Assisted in drafting of an award for claims of termination payment on the termination of a Concession Agreement by the Concessionaire for Employer default in a Road Construction Project.
- Assisted in drafting of 6 (Six) separate arbitration awards on issues of delay in handing over land, cutting of trees, shifting of utilities, change of scope, annuity payments and termination of the Concession Agreement and Termination payment.
- Assisted in drafting of two separate arbitration awards pertaining to construction development project and claims for refund of development fees/royalty paid by the developer.

Arbitration Relating to Sale of Goods or Supply of services

- Assisted in drafting of a minority opinion in an International Commercial Arbitration related to supply of railway bogeys to a buyer.
- Assisted in drafting of an award which involved interpretation of provisions in a goods supply contract requiring additional quantities of the goods to be sold at old rates which were no longer feasible.
- Assisted in drafting of 4 arbitration awards under different contracts analysing causes of delay in supply of transformers the liability of the same amongst the Claimant and the Respondent.
- Assisted in drafting of an arbitration awards on claims of refund of bank guarantee alleged to have illegally encashed in a Goods supply contract.
- Assisted in drafting of an arbitral award pertaining to unpaid invoices of a Work Order for supply of personnel.
- Assisted in drafting of an arbitration awards for claims of consultancy fees arising out of a consultancy agreement for a bid by a private developer for a rural electrification project.

Arbitration relating to Shareholder Dispute

- Assisted on a Section 17 order in a shareholder dispute involving an ROFR Clause.
- Assisted in drafting of an arbitral award regarding Specific Performance of a clause pertaining to Buy Back of shares in a JV company.

Interim Orders related to Arbitration

- Assisted in drafting of order for interim measure under Section 17 of the Arbitration and Conciliation Act, 1996 relating to deferment of payment of premiums in an arbitration on a road construction project.
- Assisted in drafting an order rejecting the application for production and discovery of documents since the same were unrelated to the Arbitration proceedings.
- Assisted in drafting of Orders on Application under Section 13 read with Section 12 of the Arbitration and Conciliation Act, 1996 challenging the party appointed arbitrator in two arbitration matters on grounds of repeat appointment and relationship with counsel for the party.
- Assisted in drafting orders in several arbitrations under Section 17 of the Arbitration and Conciliation Act, 1996 for interim measures for protection of rights of the parties.

Miscellaneous

- Assisted in drafting of an award on a dispute regarding payment under a contract for non-assert of claims for use of patented technology.

Academic Activity

- Part of the editorial team that assisted Justice A.K Patnaik in revising *D.D. Basu's Shorter Constitution* (15th Ed. 2018).

Select list of Publications

Arbitration Clauses and Pre-arbitration procedure

- Gaurav Rai, Gautam Mohanty and Anushna Das, Pre-arbitral steps in a multi-tier dispute resolution system in India - analysing the current quagmire and the way forward, [2020] 23(3) **International Arbitration Law Review** 212 (Sweet & Maxwell, UK)
- Gaurav Rai and Rakshita Singh, Need for an Arbitration Clause in Settlements executed in supersession of the Original Contract, The Arbitration Workshop Blog (30th July 2023) ([Link to the Article](#))

Arbitration Procedure

- Suhani Sharma and Gaurav Rai, Upholding Natural Justice in Arbitration The Perils of Awards Beyond Party Pleadings and Arguments, SCC Times (12 March 2026) ([Link to the Article](#))
- Gaurav Rai, When can a non-signatory foreign group company be impleaded to its Indian affiliate's arbitration?, The Arbitration Workshop Blog (19th July 2019) ([Link to the Article](#))

Contract Law and Arbitration

- Gautam Mohanty and Gaurav Rai, The Hermeneutics of the Concept of Misrepresentation: Addressing The Quagmire of 'Compensation' in Cases of Misrepresentation in Formation of a Contract Under Indian and English Law, **Liverpool Law Rev** 43, 477–500 (2022). ([Link to the Article](#)) (22nd June 2022)
- Gautam Mohanty and Gaurav Rai. "Delays, Disruptions, and Diminished Margins: Reassessing Loss Claims in Indian Construction Law." **National Law School of India Review**, vol. 36, no. 1, ([Link to the Article](#)) (26th July 2025)
- Sneha Rath and Gaurav Rai, Interpretation of Contract v. Disregard of the terms of the Contract: Analysis of Section 28(3) of the Arbitration and Conciliation Act, 1996, (20th May 2022) ([Link to the Article](#))
- Gaurav Rai "The Relationship between Prolongation of Contracts and Liquidated Damages: An Analysis of Welspun Specialty Solutions v. ONGC" (6th December, 2021) ([Link to the Article](#))
- Gaurav Rai, Exclusionary Clauses in Contracts – Development of Jurisprudence vis-à-vis Arbitration Law, The Arbitration Workshop Blog. (27th October 2020) ([Link to the Article](#))

- Gaurav Rai, Force Majeure clauses in Contracts and its treatment in arbitration, The Arbitration Workshop Blog (28th April 2020) ([Link to the Article](#))
- Sonal Kumar Singh, Anish Jaipuriar and Gaurav Rai, Voiding of Supplementary Contracts made under Economic Duress, Mondaq, (12th March 2021) ([Link to the Article](#))
- Gaurav Rai, Contractual Interpretation in Arbitrations: Business Efficacy and Business Common Sense, The Arbitration Workshop Blog, (31st December 2020) ([Link to the Article](#))

Arbitration and Evidence

- Evidentiary Rules and Award of Damages in Commercial Arbitration in India -In Contemporary Perspectives on International Arbitration Practice - Decoding Global Trends (Ed. Dr. Pallab Das) - Thomson Reuters (1st Oct, 2023) ([Link to the Book](#))

Shareholder Disputes

- Gaurav Rai and Suraj Raj Keshewani, Arbitrating Shareholder Disputes: A Case for Emergency Arbitration in India, The Arbitration Workshop Blog. (31st July 2021) ([Link to the Article](#))

Enforcement and stay of operation of arbitral awards

- Gaurav Rai and Abhijeet Kumar, “Exercising Discretion in Stay of Enforcement of a Domestic Arbitration award” (16th March 2022)([Link to the Article](#))