



ANKIT R. SANGHVI

PARTNER

Ankit's focus area of practice is in construction law and he has handled significant assignments involving energy projects, engineering projects and infrastructure projects for both local and foreign clients. Ankit's legal experience has enabled him to provide professional legal advice to his clients in respect of building and construction projects in Malaysia from its inception, right up to its completion. Ankit has conducted document review for clients, provided advice and drafted agreements for employers, developers, contractors, sub-contractors, vendors, purchasers and tenants on various aspects of commercial, retail and residential construction projects in Malaysia.


Ankit also advises clients on the legal requirements that are to be complied with at the initial stages of planning and his range of advice includes procurement strategies, project risk management and claims and dispute management or avoidance. In the event formal dispute resolution becomes a necessity, Ankit has the experience to advise you on the appropriate dispute resolution forum. Ankit's experience includes, mediation, adjudication, arbitration, litigation, expert determination and early neutral evaluation, amongst others.


Ankit has represented a number of multi-national and GLC's in Malaysia as lead counsel at all levels of the Malaysian Courts. He also often represents clients in adjudication and arbitration proceedings in respect of disputes that concern claims and/or payment issues, issues in respect of termination of contract, issues concerning delays, issues concerning performance bonds, issues concerning defects rectification and issues in regard to liquidated damages, amongst others.

EXPERIENCE

- Acted as co-counsel for a property developer in an arbitration where the subject matter concerned the development of the counterparty's piece of land by way of a joint venture agreement which had ultimately been terminated by the counterparty. Through the joint venture agreement, the property developer was to build the property as per the counterparty's requirements and in consideration of the same, the counterparty was to transfer part of the subject land to the property developer for the purposes of mixed development consisting of commercial and residential properties.
- Advised and acted for the owner of a mixed development project comprising of a high-end hotel and service apartments in its dispute with the main contractor, nominated sub-contractors and suppliers involving a host of construction issues, including liquidated and ascertained damages, extension of time applications, validity of architect instructions, defects, performance bonds and potential remedies.
- Advised and acted for a sub-contractor in a contractual claim against the main contractor for failure to pay the sub-contractor for certified works done in relation to a property development project.

CONTACT

 603-2710 3818 (Ext 127)

 ankit.sanghvi@hhq.com.my

PRACTICE AREAS

- Arbitration & Adjudication
- Asset & Debt Recovery
- Banking Litigation
- Commercial & Corporate Litigation
- Insurance Law
- Land Law Litigation
- Liquidation & Insolvency
- Tort & Negligence

QUALIFICATIONS

- Advocate and Solicitor, High Court of Malaya (2011)
- Bachelor of Laws (Honours), Aberystwyth University Wales (2009)
- Barrister-at-Law of England and Wales (Lincoln's Inn, UK) (2010)
- Master of Science in Construction Law & Dispute Resolution, King's College London (2021)

LANGUAGES



- English, Malay, Hindi



EXPERIENCE (CONTINUED)

- Advised and acted for a main contractor in its dispute with the employer, nominated sub-contractor and supplier of defectively manufactured products for the purposes of building and construction.
- Advised and acted for a main contractor in its dispute with owners of land affected by the main contractor's works.
- Advised a main contractor in seeking for an injunctive order from the courts to restrain the employer from making a demand on a performance bond.
- Advised a sub-contractor in seeking for an injunctive order from the courts to restrain the main contractor from dealing with the retention sum monies held under trust.
- Advised and acted for various stakeholders in an advisory capacity involving a variety of construction works, including construction of a solar energy power plant in Malaysia.
- Advised and acted for a main contractor in its dispute with the employer involving the construction of a high-end condominium.
- Acted for numerous property developers in property defect related claims initiated by property purchasers.
- Advised and defended a property developer in an adjudication proceeding brought by the main contractor for alleged failure to pay the contractor for works certified to be purportedly done.
- Advised and acted for a property developer in a dispute with the main contractor wherein the main contractor's works had affected the adjoining land.
- Advised and acted for a property developer in a judicial review application to seek for an order of certiorari for the purposes of quashing an award delivered by the homebuyers tribunal involving issues concerning the interpretation of certain provisions in the Housing Development (Control And Licensing) Act 1966 and the Housing Development (Control And Licensing) Regulations 1989 ("HDR 1989").
- Acted as co-counsel in representing the Indian government in applications to set aside arbitration awards amounting to USD200 million before the Malaysian courts.
- Acted as lead counsel for a renowned organization in an arbitration proceeding involving a claim for unpaid professional fees of the architect. The matter involved, amongst other things, interpretation of certain clauses in the Architects (Scale of Minimum Fees) Rules 2010.

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MEMBERSHIPS


- Chairman, Membership Development Committee Asian Institute of Alternative Dispute Resolution
- Certified Adjudicator, The Asian International Arbitration Centre (AIAC), Panel of Adjudicators
- Member, Honorable Society of Lincoln's Inn, Malaysia
- Member, Young Practitioner's Group of The Kuala Lumpur Regional Centre for Arbitration
- Fellow, Asian Institute of Alternative Dispute Resolution (AIADR)


PUBLICATIONS

- “Understanding The Malaysian Movement Control Order” (Mac 2020) HHQ Empower Vol 3 Issue 3
- “Covid-19 & Its Effect on Contractual Obligations” (Mac 2020) HHQ Empower Vol 3 Issue 3
- “Time To Build ‘Trust’: Adequate Procedures Against S. 17a MACC 2009” (Feb & May 2020) HHQ Empower Vol 3 Issue 2 & 5
- “No Longer Retrospective: The Construction Industry Payment and Adjudication Act 2012” (Nov 2019) HHQ Empower Vol 2 Issue 4
- “The Law on Liquidated Damages Clauses: Crystal Clear Or Murky Waters?” (Sept 2019) HHQ InTouch Vol 1 Issue 3
- “Liquidated Damages Clauses in Contracts” (Apr 2019) HHQ Empower Vol 2 Issue 2
- “Anti-Corruption Legislation in Malaysia” (Jan 2019) HHQ Empower Vol 2 Issue 1



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