


Ankit R. Sanghvi

Partner

 603 – 2710 3818

 ankit.sanghvi@hhq.com.my

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



Ankit Sanghvi is a distinguished litigator and a recognized authority in Malaysia's construction law and dispute resolution landscape. With over a decade of extensive experience, he has advised and represented leading property developers, multinational corporations, and government-linked companies across a broad spectrum of high-stakes disputes in real estate, construction, joint ventures, and investment matters. Ankit's legal acumen and insight, combined with his practical and commercially focused approach, make him a trusted legal partner for his clients.

Practice Areas

- Construction Disputes
- Joint Venture and Investment Disputes
- Quasi-Criminal Defense Representation and Advisory
- Real Estate and Property Disputes

Ankit's depth of knowledge spans complex construction and infrastructure projects from inception through completion, handling matters such as document review, contract drafting, procurement strategies, project risk management, and dispute avoidance. Known for his swift turnaround and his astute understanding of both the law and the commercial landscape, he provides clients with proactive, pragmatic solutions to prevent and resolve disputes effectively. His ability to foresee potential legal issues and preemptively address them has consistently garnered positive feedback from clients, who appreciate his foresight and strategic approach.

Holding a Master of Science in Construction Law and Dispute Resolution from King's College London, Ankit brings an international perspective to his practice, enabling him to advise on a global scale. He is a certified adjudicator with the Asian International Arbitration Centre (AIAC) and frequently represents clients in adjudication and arbitration proceedings, as well as at all levels of the Malaysian judiciary. His specialization includes injunctions, notably Mareva, prohibitory, and mandatory injunctions, and he is adept in representing clients in urgent and complex applications, often involving cross-border elements.

Ankit has further distinguished himself in quasi-criminal defense, where he advises on and litigates matters concerning insider trading, anti-money laundering (AMLA), anti-corruption (MACC), and environmental quality (EQA) laws. His adept handling of such cases reflects his comprehensive understanding of regulatory frameworks and his skill in balancing compliance with commercial objectives.

In addition to his litigation prowess, Ankit is a sought-after speaker among Malaysia's property developers, regularly delivering talks on emerging legal issues and developments within the construction sector.

With a reputation as a reliable and highly professional advocate, Ankit's contributions to the legal field and his commitment to excellence have established him as a leading name in construction law in Malaysia.

Experience

Construction and Commercial Dispute Resolution

- *Lead Counsel for Mixed Development Project Dispute*

Acted for the owner of a high-end mixed development project, including a luxury hotel and serviced apartments, in a dispute involving the main contractor, sub-contractors, and suppliers. Addressed issues such as liquidated and ascertained damages, time extensions, architect instructions, defect rectifications, and performance bonds.

- *Co-counsel in Joint Venture Arbitration*

Represented a property developer in arbitration over a joint venture for a mixed-use development on the counterparty's land. Under the joint venture agreement, the developer was to build the property per the counterparty's specifications, with a portion of the land to be transferred for commercial and residential development. The counterparty ultimately terminated the agreement.

- *Contractual Claim for Sub-Contractor*

Represented a sub-contractor in a contractual dispute with a main contractor regarding unpaid certified works on a property development project.

- *Main Contractor Dispute Involving Defective Products*

Acted for a main contractor in a dispute concerning defectively manufactured products provided for construction, involving claims against the employer, sub-contractors, and suppliers.

- *Landowner Dispute for Main Contractor Works*

Represented a main contractor in addressing landowner grievances impacted by construction activities, managing claims and securing a favorable resolution.

- *Performance Bond and Retention Sum Injunctions*

Obtained an injunction on behalf of a main contractor to prevent the employer from calling on a performance bond. Additionally represented a sub-contractor in securing an injunction to restrain the main contractor from using retention sums held in trust.

- *Solar Power Plant Construction Advisory*

Advised stakeholders in the construction of a large-scale solar power plant in Malaysia, providing strategic insights on construction-related legal issues.

- *Condominium Construction Dispute*

Represented a main contractor in a complex dispute with an employer over the construction of a high-end condominium, addressing issues such as contract terminations, delays, and performance bonds.

- *Defect-Related Claims for Property Developers*

Acted on behalf of property developers in defect-related claims initiated by property purchasers, providing dispute resolution strategies and facilitating resolution.

- *Adjudication Defense for Property Developer*

Defended a property developer in adjudication proceedings brought by a main contractor regarding certified works, successfully challenging the validity of claims.

- *Adjoining Land Dispute for Property Developer*

Acted for a property developer in a dispute with a main contractor concerning construction impacts on adjoining properties.

- *Judicial Review for Homebuyer Tribunal Award*

Successfully advised and represented a property developer in judicial review proceedings to quash a tribunal award. Addressed complex statutory interpretation issues under the Housing Development (Control and Licensing) Act 1966.

- *Arbitration Representation for the Indian Government*

Served as co-counsel representing the Indian government in applications to set aside arbitration awards totaling USD 200 million before the Malaysian courts.

- *Architect Fee Dispute Arbitration*

Led arbitration proceedings involving a prominent organization's claim for unpaid architect fees, requiring interpretation of the Architects (Scale of Minimum Fees) Rules 2010.

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Real Estate and Land Dispute Resolution

- *Caveat Removal for Companies and Individuals*

Represented corporate and individual clients in applications to remove caveats under the National Land Code, safeguarding property rights in complex property disputes.

Regulatory and Quasi-Criminal Defense

- *Insider Trading and Capital Markets Advisory*

Advised and represented clients facing insider trading allegations and breaches under Malaysia's Capital Markets and Services Act 2007, enforced by the Securities Commission. Managed complex investigations and mounted robust defenses.

- *Environmental Law Compliance and Defense*

Acted for clients in cases involving the Department of Environment, advising on compliance with the Environmental Quality Act (EQA) and representing clients from investigation to prosecution stages.

- *Anti-Corruption and MACC Defense*

Provided end-to-end defense for clients under investigation or prosecution by the Malaysian Anti-Corruption Commission (MACC), representing them through every phase from investigation to court proceedings.

- *Anti-Money Laundering Advisory and Representation*

Advised and defended clients in money laundering cases under the Anti-Money Laundering, Anti-Terrorism Financing and Proceeds of Unlawful Activities Act (AMLA), ensuring compliance and minimizing operational impacts during enforcement actions.

Injunctions and Asset Preservation

- *Mareva Injunctions for Asset Protection*

Successfully obtained a Mareva injunction on behalf of a public listed company to prevent an opposing party from dissipating assets prior to trial.

Publications

- HHQ Malaysia Real Estate Guide (2019/2020)
- Liquidated Damages Clauses in Contracts (April, 2019)
- The Law on Liquidated Damages Clause : Crystal Clear or Murky Waters? (September 2019)
- No Longer Retrospective: The Construction Industry Payment and Adjudication Act 2012 (November, 2019)
- Time to Build "TRUST": Adequate Procedures against S.17A, Malaysian Anti-Corruption Commission Act 2009 (February & March 2020)
- Covid-19 and Its Effect on Contractual Obligations in the Construction Industry (March 2020)
- Understanding the Malaysian Movement Control Order (March 2020)
- Direct Payment from Principal under CIPAA – what happens if the losing party in the adjudication is wound up? (August, 2020)
- The Repeal of Section 42 of the Arbitration Act 2005 (Malaysia): Buttressing the Principles of Finality of Arbitral Awards and the Minimum Intervention of Courts or Curtailing the Supervisory Jurisdiction of the Courts (September 2021)
- Exclusion of Liability Clauses in Malaysia – Enforceable or Not? (November, 2021)
- Risk Management and Risk Allocation in Construction Contracts – is there a perfect formula? (August, 2022)

Reported Case

- Obata-Ambak Holdings Sdn Bhd v Prema Bonanza Sdn Bhd and other appeals [2024] 5 MLJ 897
- China Construction Yangtze River (Malaysia) Sdn Bhd v Multibay Development Sdn Bhd & Anor [2023] MLJU 2195
- China Construction Yangtze River (Malaysia) Sdn Bhd v Multibay Development Sdn Bhd & Anor [2023] MLJU 1845
- Orion Tower Sdn Bhd v Shanghai City Sdn Bhd [2023] 8 MLJ 345
- Orion Tower Sdn Bhd v Shanghai City Sdn Bhd [2022] MLJU 2387
- IB Builders Pvt Ltd v. DSS Capital Pvt Ltd & Anor [2022] MLJU 2685
- Sureendran Subramaniam & Anor v. Lush Development Pvt Ltd & Anor [2022] MLJU 1453
- Low Koh Hwa v. Spastic Children's Association Selangor & Federal Territory [2021] 10 MLJ 262
- Eco Green City Pvt Ltd v. Tribunal for Home Buyers' Claims & Anor [2020] MLJU 1670
- Sundra Rajoo Nadarajah v. Minister of Foreign Affairs, Malaysia & Anor [2020] 10 MLJ 583
- Sundra Rajoo Nadarajah v. Attorney General [2020] 3 MLJ 788
- Eddy bin Salim & Others v. Iskandar Regional Development Authority & Others (Node Dua Pvt Ltd, Timur Terang Pvt Ltd, Strait Bay Pvt Ltd, Layan Suria Pvt Ltd) [2017] MLJU 2308
- Cecilia Yiin Suk Kiong & Anor v. Citibank Ltd & Others [2015] 9 MLJ 795
- See Teow Guan v. Yeoh Jin Hoe & Others (Aspire Insight Pvt Ltd) [2015] MLJU 393
- Good View Property Pvt Ltd v. Standard Chartered Bank (Malaysia) Ltd [2014] MLJU 489
- Tenaga Nasional Berhad v. Chong Ching Food Supply [2014] 9 MLJ 18
- CMA CGM v. Ban Hoe Leong Marine Supplies Pvt Ltd & Others [2012] MLJU 818
- Gunalan Balan & Others v. HSBC Bank (Malaysia) Ltd [2011] 2 LNS 1044

Membership

- Member, Malaysian Bar