



Mushtaq Namdarkhan

Partner | ALN Mauritius | BLC Robert & Associates

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Background

Mushtaq Namdarkhan is a Partner at BLC Robert within the Dispute Resolution department and 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 under the International Arbitration Act 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 in the Restructuring and Insolvency Group at the London office of Herbert Smith (now Herbert Smith Freehills).

Professional Membership

- 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

2015: External Member, Monetary Policy Committee of the Bank of Mauritius

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

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)

Awards and Scholarship

- Recognized as “Next Generation Partner” by Legal 500 EMEA 2021
- Ranked as an Up and Coming lawyer by Chambers and Partners, described as “very practical and commercial”
- Thomas and Elizabeth Walton Prize for Law, Girton College, Cambridge
- State Scholarship from the Republic of Mauritius

Top Matters

- Acting for investor funds in connection with successfully defending a challenge before the Designated Judges of the Supreme Court to an international arbitral award in excess of USD 25 million in their favour against the investee company. The case is currently on appeal before the Judicial Committee of the Privy Council.
- Acting for a major domestic bank before the Commercial Division of the Supreme Court in connection with defending a USD 16 million claim against it by a former client for alleged foreign exchange losses.
- Acting for a major domestic contractor in connection with 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.
- Advising shareholders of a multi-million dollar UAE joint venture before the Designated Judges of the Supreme Court in connection with the successful application 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 connection with 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 connection with 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 connection with a dispute with a retail dealer referred to arbitration.
- Acting for a 5 star hotel owner in connection with a USD 2 million dispute with its hotel manager referred to arbitration. The case was amicably settled.
- Acting for a fund manager before the commercial court in connection with a claim of USD 600 thousand of unpaid management termination fees from a fund.
- Acting for the bondholders in connection with 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 Deloitte Mauritius partners, the administrators of a major textile manufacturer (Star Knitwear), in connection with the successful exit of that company from administration following a MUR 1 billion takeover.
- Acting for Beijing Construction and Engineering Group in connection with successful takeover of a MUR 1.8 billion residential project out of its liquidation.
- Acting for PwC Mauritius partners, the administrators of the promoters of the Port Chambly hotel and residential development, in connection with the successful exit of the companies from administration involving a takeover and restructuring of debts in excess of MUR 600 million.