



Mahesh Rai
Deputy Head, Construction & Engineering
Director, Dispute Resolution

LL.B. (Hons), National University of Singapore (2008), Shaw Foundation Scholar
LL.M. International Arbitration & Litigation, University College London (2009)
B.Sc. (1st Class Hons) Politics & International Relations, London School of Economics, External (2006)
Advocate & Solicitor of the Supreme Court of Singapore (2011)
Attorney-at-law of the state of New York (2011)
Solicitor of England & Wales (2013)
International Lawyer, Bar Association of the Kingdom of Cambodia (2013)
Acc. Spec. (Building & Construction), Singapore Academy of Law
Chairman, The Chartered Institute of Arbitrators, Young Members Group
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ABOUT MAHESH

Mahesh has an active litigation and arbitration practice with a particular focus on complex, high-value and cross-border disputes across a range of industries (construction, infrastructure, telecommunications, IT, shipping, energy and commodities). He is also the Deputy Head of our Construction & Engineering practice and advises on front-end construction matters.

Mahesh commands praise for being “a *first-rate litigator*”, “an *excellent disputes lawyer and a master strategist with a deserved reputation for solving complex issues*” and a lawyer who “*is quick on his feet, pays attention to detail and is clear and concise in his explanations*”. He is consistently ranked in several publications. Mahesh is ranked in both Chambers Asia-Pacific and Chambers Global for Dispute Resolution: Arbitration (2022 edition). The Legal 500 Asia Pacific recommends Mahesh for Dispute Resolution, International Arbitration, Projects & Energy, White-Collar Crime and Construction (2022 edition). He is recognised as Asia’s Super 50 Disputes Lawyers by ALB in 2021 and 2022. Mahesh is recommended by Benchmark Litigation Asia-Pacific for Construction (2022 edition). He won the Young Lawyer of the Year Award at the Asian Legal Business (ALB) SE Asia Law Awards 2019. He is ranked as a Future Leader in Arbitration by Who’s Who Legal from 2020 to 2022 and a Future Leader in Investigations from 2018 to 2022, and by the Global Arbitration Review in 2016. In its 2023 edition, Asialaw ranked him as a Rising Star in Dispute Resolution. ALB

identified Mahesh as an outstanding young lawyer in the “40 under 40” survey in 2018 and the Singapore Business Review selected Mahesh as one of the most influential lawyers under 40 in 2017.

In 2021, a panel of Singapore High Court and Appellate Judges awarded Mahesh the prestigious Joseph Grimberg Young Outstanding Advocate Award.

In 2014, Mahesh was selected by the Supreme Court to be placed in the Young *Amicus Curiae* list and he appeared as *amicus curiae* in a High Court matter involving money laundering.

Mahesh’s experience also includes stints at two ‘magic circle’ barristers’ chambers, Fountain Court Chambers (as a Singapore Academy of Law Scholar) and Essex Court Chambers (as the first winner of the Essex Court Singapore moots), where he worked on complex commercial litigation and arbitration matters.

Mahesh graduated from the National University of Singapore (NUS) as a Shaw Foundation Scholar. He earned an LL.M. in International Arbitration & Litigation from University College London (UCL) where he represented the United Kingdom as an oralist in the UCL team that was the runner-up in the prestigious Philip C. Jessup International Law Moot Court Competition.

For his pro bono work and increasing access to justice, Mahesh was highlighted as one of Asia-Pacific’s Innovative Lawyers at The Financial Times’ annual FT Innovative

Lawyers Asia-Pacific 2018 awards. He was also shortlisted for the 2018 IBA Outstanding Young Lawyer Award for his *pro bono* representation of accused persons facing the death penalty in Singapore and civil party victims before the United Nations Khmer Rouge Tribunal.

EXPERIENCE

The following are some of the matters Mahesh has handled:

Construction

- Representing a Korean multinational conglomerate in an UNCITRAL arbitration against an Indian state-owned company over claims amounting to over US\$400 million arising out of the construction of a petrochemical plant.
- Represented an international contractor in two UNCITRAL arbitrations against the Government of Maldives for claims amounting to over US\$155 million relating to expropriation of land and delays to a project to construct public housing over 10 islands.
- Representing the employer in a construction dispute over a multitude of defects affecting a S\$400 million project.
- Representing the employer in claims against a contractor for defects affecting a S\$35 million property.
- Represented a Vietnamese government entity in an EPC construction and engineering US\$160 million arbitration over a hydropower project in central Vietnam.
- Represented a Malaysian public-listed company in a US\$21 million ICC arbitration, where Thai law applied, against a Thai public-listed company over the design, construction and commissioning of an industrial steam boiler for the palm oil industry.
- Advised a Turkish manufacturer in a dispute over the supplier of plant machinery against a leading German supplier of machinery.

Fintech / Blockchain / Cryptocurrency

- Represented the founders of an algorithmic trading company in several suits amounting to more than US\$120 million over disputes relating diversion of cryptocurrency, trading projects, proprietary software and minority

oppression. Successfully obtained several injunctions against the majority shareholder.

- Represented a prominent blockchain / cryptocurrency company in a claim against a former employee, including obtaining urgent injunctions prohibiting the disposal of tokens, disclosure of confidential information and securing a contempt conviction for the employee's disposals of tokens on the blockchain
- Representing a blockchain / cryptocurrency company in an SIAC arbitration over the termination of a SAFT.
- Representing several exchanges and cryptocurrency companies in claims arising out of the 2022 cryptocurrency market downturn.
- Represented a cryptocurrency mining company in a claim for loss of cryptocurrency over a period where access to mining rigs was denied by the landlord.

IT, Technology and Telecommunications

- Representing an international communications equipment company in an ICC arbitration against a sovereign Asian government for claims amounting to US\$25 million over a failed satellite communications project.
- Represented a leading multinational information technology and telecommunications company in two SIAC arbitrations against the telecommunications arm of a Malaysian conglomerate over contractual disputes relating to the design, commissioning and operation of a telecommunications network, and the supply of hardware and software.
- Represented a Filipino public listed company in an ICC arbitration against an American multinational corporation over a dispute involving the setup of a voice and data telecommunications network for maritime vessels and seafarers.
- Represented a leading telecommunications tower infrastructure provider over a series of disputes relating to breaches of supply and installation agreements.
- Advised a multinational company in its international arbitration against the developers of a CRM system.

Shipping

- Represented a leading maritime services company in five arbitrations (amounting to approximately S\$32 million) against a former joint venture partner arising out of breaches of various agreements entered into by the parties to the joint venture.
- Represented Keppel Singmarine in a High Court suit against Viking HVAC and Airtech over defects arising out of HVAC installation on derrick lay vessel.
- Represented Swiber Holdings Ltd and Swiber Offshore Construction Pte Ltd in proceedings before the Singapore High Court and the Singapore Court of Appeal. Successfully struck out a frivolous claim by Likpin International, a Middle Eastern corporation.
- Represented a major shipping company listed on the SGX in two arbitrations valued at a total of USD12 million under the SIAC Rules against a marine construction company registered in Dubai and a Vietnamese state-owned petrochemical company for breach of charter party agreements.
- Represented a €6 billion Norwegian company in a US\$20 million maritime arbitration, where Swiss law and Chinese law applied, against a Chinese public-listed company for project delays arising from a tug and tow accident in the South China Sea. The dispute involved issues of seaworthiness of vessels, obligations under the International Convention for the Safety of Life at Sea 1974 and gross negligence.
- Representing a leading Japanese conglomerate in a shipping dispute involving fraudulent switch bills of lading and conversion.
- Represented a shipping engineer in resisting a claim by the leading supplier of inert gas systems over the misuse of alleged confidential information and restraint of trade.

Companies and Insolvency

- Representing a marine engineering company in a minority oppression action against a majority shareholder of a joint venture company.

- Representing the managing director and a shareholder of Southeast Asia's leading pipe trading company in a number of High Court suits involving minority oppression, derivative claims, trusts and receivership.
- Representing a tycoon in a series of suits and an arbitration emanating from disputes over shareholders of a leading oil and gas equipment supplier.
- Advising shareholders on disputes arising out of a joint-venture company which operates clinics and surgery centers.
- Represented the majority shareholder in resisting an application to wind up a multimillion-dollar electronics fabrication company. A successful buyout was negotiated.
- Represented a shareholder of a leading events company in a potential winding up matter. A successful buyout of our client's shares with minimal exit obligations was negotiated.
- Represented and advised a major private equity group in the infrastructure sector on its minority oppression claims against the majority shareholders and directors controlling an IT project SPV across multiple jurisdictions

Contract

- Representing a Chinese investor in High Court claims against two doctors for misrepresentation and breaches of contract.
- Representing the part-owner of one of Vietnam's largest coffee empires in a suit before the Singapore High Court involving conspiracy, contractual breaches and tortious claims.
- Represented a shareholder of airlines-services company in resisting a suit in the Singapore High Court over claims of misrepresentation and contractual breaches.
- Represented a German multinational automotive corporation in an ICC arbitration against a Singaporean joint venture investment company over losses accruing from a failed semi-professional racing series project in South-East Asia.

- Represented the Government of the UAE in a S\$50 million claim against a healthcare group for exorbitant charges.

Employment

- Represented a broker in an employment dispute against a leading commodities and energy trading company.
- Advised the SEA-Pacific General Manager of Gameloft SE, a leading global video game developer, in an employment matter arising out of the takeover of Gameloft by Vivendi.
- Represented a regional executive in claims against a global manufacturer and designer of high-end office furniture.

Crime

- Representing civil parties / victims before the United Nations Khmer Rouge Tribunal in Case 002/02 against Nuon Chea ("*Brother Number Two*", second-in-command to Pol Pot) and Khieu Samphan (president of Democratic Kampuchea 1976– 1979).
- Appointed by the Supreme Court of Singapore as *Amicus Curiae* (friend of the court) in an appeal to the Singapore High Court in a novel case involving money-laundering and Li Huabo (the No. 2 individual on China's 100 "most wanted" corrupt officials list).
- Defended a number of indigent accused persons *pro bono* in criminal proceedings under the Criminal Legal Aid Scheme.

PUBLICATIONS

- Co-author, International Comparative Legal Guide – Construction & Engineering Law 2021 and 2022 (Singapore chapter)
- Co-author, The Legal 500 Country Comparative Guide – Litigation 2021 and 2022 (Singapore chapter)
- Expert author, Commonwealth Study on International Commercial Arbitration 2019
- Co-author, Chambers and Partners Global Practice Guides – Litigation 2019 (Singapore chapter)
- Contributing author, Global Investigations Review, The Practitioner's Guide to Global

Investigations 2017 and 2018 (1st and 2nd edition)

- Contributing author, Global Investigations Review's Practitioner's Guide to Global Investigations (Edition 2) newsletter (2018)
- Contributing author, 'FIDIC around the world – Singapore', appeared in the 2017 Construction Law International Vol.12 Issue 3; published by the International Bar Association.
- Contributor to Singapore Civil Procedure (2014 (Supplement) & 2015)

ACCOLADES

Chambers Asia-Pacific

Dispute Resolution:
Litigation - Singapore 2023 –
Band 5



Dispute Resolution:
Arbitration - Singapore 2023
– Band 5 for 2 consecutive years

Construction Singapore 2023 – Band 4

"extremely talented and hard-working".

"He is very knowledgeable and clear in conversations, systematic in his approach and reassuring to the client."

"His ability to present cases to tribunals is really excellent."

"Mahesh Rai is very clever and well versed with the law. An excellent advocate who would have thoroughly mastered the case by the time one is at the hearing, he is very user-friendly as well."

Chambers Global

Dispute Resolution: Arbitration - Singapore
2022 – Band 5

The Legal 500 Asia Pacific

Dispute Resolution 2023 – Next
Generation Partner for 4
consecutive years

International Arbitration 2023 –
Next Generation Partner for 4
consecutive years;
Recommended lawyer in 2019



Projects & Energy 2023 – Recommended
lawyer for 5 consecutive years

White-Collar Crime 2023 – Recommended lawyer for 3 consecutive years

Construction 2023 – Recommended lawyer for 3 consecutive years

“Mahesh Rai is the core partner who is in charge of construction matters. His strong grip for related facts and legal issues make him shine when advocating.”

“Mahesh Rai is brilliant and on top of everything. Someone you would want on your side.”

“Mahesh Rai’s in-depth knowledge of construction law was very evident in the initial meeting of the arbitration dispute – which was key in convincing the client to move forward with the arbitration case. He was able to give a clear picture and an accurate timeline of how the case would proceed all the while giving constant updates on the progress of the case.”

“Highly recommend Mahesh Rai. He fits the firm’s profile of being efficient and excellent at advocacy. Would not be surprised if he becomes the next and youngest senior counsel.”

“Mahesh Rai provides good input based on his vast experience and commercial knowledge of the industry.”

“Mahesh Rai is highly regarded for construction and engineering disputes”

Sources say *“Mahesh Rai was always on top of every aspect of the dispute, nothing could slip away from him. His strategic advice and sound reasoning were key in developing and framing claim.”*

“wonderfully engaging to deal with and has an incredibly relaxed manner”

The Legal 500 Arbitration Powerlist: Southeast Asia 2022



Recognised as a leading arbitrator in the Southeast Asia region

The Joseph Grimberg Outstanding Young Advocate Award 2021

Winner of the annual award instituted by the Singapore Academy of Law and Drew & Napier which recognises young lawyers in good standing who exhibit professional excellence, service to the profession and the

bar; service to the community; and/or a reputation for or the advancement of legal ethics and professional responsibility. The award also recognises lawyers who demonstrate the same professional excellence and high ethical standards that Mr Grimberg embodied.

Asian Legal Business Asia Super 50 Disputes Lawyers 2022



Recognised as being amongst the top 50 disputes lawyers in the region for 2 consecutive years

A client rates Mahesh as “top of the class”, while another adds: *“Working with Mahesh and his team has been seamless from start to finish. As soon as Mahesh stepped in, our long-standing dispute got resolved in no time.”*

Rated “10/10” by a client, Mahesh is lauded for working *“that extra 10 percent to ensure all bases are covered, and was always three steps ahead of the defendant in my High Court litigation”*.

Benchmark Litigation Asia-Pacific

Construction 2023 – Future Star for 2 consecutive years

Asian Legal Business SE Asia Law Awards 2019



Young Lawyer of the Year – Mahesh Rai

Asian Legal Business

Identified as one of 40 bright legal minds in the region under the age of 40 – “40 Under 40 list” (October 2018 issue)

Financial Times Innovative Lawyers APAC 2018 awards

Mahesh was commended for his commitment to pro bono advocacy, highlighting his work with HOME (Humanitarian Organisation for Migration Economics) and AWARE (Association of Women for Action and Research) that led him to challenge laws that disadvantage migrant and refugee workers.

Who’s Who Legal

Future Leaders

Ranked as an eminent lawyer under 45 in the respective fields

Global Elite Thought Leader – Under 45:
Arbitration 2023

Global Elite Thought Leader – Under 45:
Investigations 2023

Global Guide: Arbitration (2020 to 2023
editions)

Global Guide: Investigations (2018 to 2022
editions)

National Guide: Southeast Asia - Arbitration
(2021 and 2022) – Recommended Lawyer

"We were impressed by not only Mahesh's knowledge but also his experience on such cross-border matters."

"Mahesh provides impressive subject knowledge and experience in investigations."

Mahesh Rai impresses as "one of Singapore's best dispute resolution specialists", with peers commending his "expertise in construction disputes" and "strong pipeline of arbitration work across the Asia-Pacific region".

Mahesh Rai is a "sensational lawyer" who "has built a strong practice" in corporate investigations.

"Mahesh is a bright up-and-comer in the investigations space".

Mahesh "is always keen to think out of the box" applaud sources who commend his "great industry knowledge and level of responsiveness".

Mahesh Rai is "truly a leader in this area"...He provides specialist insight into disputes in the telecommunications and energy sectors.

"Mahesh is quick on his feet, pays attention to detail and is clear and concise in his explanations."

asialaw Leading Lawyers

Dispute Resolution 2023 – Rising Star

Dispute Resolution & Litigation 2018 –
Leading Lawyer for 2 years

"Mahesh Rai leads a disputes team that is well versed in both blockchain technology nuances and traditional commercial and financial litigation and arbitration. His domain knowledge in blockchain, fintech and technology makes him brutally effective in disputes regarding these matters, more than the other top-ranked disputes teams in

Singapore. This is a very key differentiator. The team is very meticulous and has great attention to detail, and catches both technology-related and more typical factual nuances of cases. Mr Rai himself is a very forceful and cunning cross-examiner in court, and has a commanding presence that allows him to take control of court proceedings, even against senior counsels and litigators much more senior than him. He is also extremely responsive, and he and his team readily respond to queries even at 11pm or on a Sunday. Finally, he gives straightforward, practical, concise, commercial and very concrete recommendations when asked for options, including cost considerations. He will not give theoretical or abstract answers, and will not give tentative or timid recommendations that do not allow a client to visualise a concrete course of action. He even advised on a personal matter for one of my friends, a senior executive in a large blockchain company, and my friend gave glowing positive feedback, that he felt very reassured and confident on a personal level, in addition to getting clear advice on the legal issues."

"Strong knowledge of laws in India and good knowledge of the country's legal infrastructure."

"His personal approach to a transaction goes a long way."

"Always approachable, a patient listener, has sound industry knowledge, excellent knowledge of law and always provides practical solutions."

"Mahesh listens well and is a great tactician."

"Excellent, thorough, and balanced risk management and advice."

"Creative solutions and very focused."

"Quick, efficient and super-understanding of the matter and case file."

"Mahesh has sound knowledge and expertise in disputes relating to telecom towers industry. He is spot on his turnaround time and has an eye for details."

"Deep understanding of Singapore law and appreciation of practical problems in multijurisdiction litigations."

"Strong knowledge of Indian laws."

Sources say Mahesh “demonstrates commitment and responsiveness to queries at all hours. A very driven individual who has sensible commercial solutions. A capable lawyer who delivers results we ask for.”

“Mahesh is a first-rate litigator with a good eye for detail. He grasps issues quickly, was accessible and was excellent in providing commercial solutions to our problems.”

“Mahesh is an excellent disputes lawyer and a master strategist with a deserved reputation for solving complex issues. He was very user friendly, commercially-minded and was one of the best lawyers my company has worked with.”

“To the point discussion. In-depth knowledge of the matter and the industry. Hands-on related to the approach and strategy.”

“The level of legal advice and general client service that I received while working with Mahesh Rai’s team was outstanding. My queries were answered promptly and with great attention to detail. Not only did the team closely monitor the progress of the settlement discussions, but it had also taken it upon itself to supervise and check the drafts that came back from the Indonesian law firm instructed by us to advise on Indonesian law queries pertaining to the transaction. Our management and I have been very pleased with the standard of service received from D&N.”

Global Arbitration Review 15th edition (2022)

Mahesh Rai was praised for his “diligent and precise” work.

A client said Mahesh “expressed a commendable level of personal engagement and was always available to provide support, guidance and direction from start to end.”

Global Investigations Review 100 (GIR 100) 5th edition (2019)

Recognised as a leading individual for investigations. The GIR 100 identifies top 100 firms worldwide that handle complex cross-border government-led and internal investigations.



Asia Business Law Journal

Identified as one of Singapore’s Top 100 lawyers 2019

Singapore Business Review

Singapore’s 70 most influential lawyers aged 40 and under in 2016 – Listed lawyer

Excellence in Advocacy Award (2012)

Awarded by the Singapore International Arbitration Academy

Winner of Essex Court Chambers-Singapore Academy of Law Moot Competition for Singapore lawyers (2012)

APPOINTMENTS/MEMBERSHIPS

- Director, Chartered Institute of Arbitrators Singapore Branch
- Fellow, Chartered Institute of Arbitrators
- Fellow, Singapore Institute of Arbitrators
- Panel Arbitrator, Singapore International Arbitration Centre, Reserve Panel
- Arbitrator, Asian International Arbitration Centre Panel
- Panel of Arbitrators, Thailand Arbitration Centre (THAC)
- Assessor, Panel of Assessors for COVID-19 Temporary Relief, Ministry of Law
- Accredited Specialist (Building and Construction), Singapore Academy of Law
- Chairman, CI Arb Young Members Group
- Former Regional Representative, ICC Young Arbitrators Forum 2017-2019
- Member, Young International Arbitration Group
- Member, Young International Council for Commercial Arbitration
- Member, Inter-Pacific Bar Association
- Member, International Bar Association
- Member, Law Society of Singapore
- Committee Member, International Relations Committee of Law Society of Singapore
- Member, Singapore Academy of Law
- Lead Counsel, Legal Assistance Scheme for Capital Offences