MAITLAND

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NARINDER JHITTAY

CALL: 2010
Email Clerks



OVERVIEW

Narinder has a varied litigation and arbitration practice and is recommended in the directories for commercial chancery work.

As well as being experienced in general business and contractual matters, her expertise extends to several specialist practice areas. She has been instructed in disputes across a wide range of sectors, and has a particular interest in matters concerning art and culture.

Narinder is a member of the Attorney General's London B Panel of Counsel and the Competition and Market Authority's Panel of Standing Counsel. She is part of the Lincoln's Inn advocacy tutoring faculty, and regularly teaches on courses for pupils and newly qualified barristers.

EXPERTISE

COMMERCIAL LITIGATION & ARBITRATION

Narinder is experienced in domestic and international commercial litigation and arbitration, having acted in a large number of general business and contractual matters across a range of sectors. Examples of her work include the following:

- Advised in a dispute concerning the allocation of shares and remuneration to a consultant in respect of a media company
- Acted in a claim for breach of warranty under an SPA in the financial sector (led by Andrew Twigger KC)

- Acted for over ninety claimants in a restitution claim against several public authorities across Great Britain (led by Gregory Banner KC, and Gerry Facenna KC of Monckton Chambers)
- Acted in a dispute between telecommunications companies over alleged breaches of an SPA and business transfer agreement
- Acted in a HKIAC arbitration concerning investments in a life sciences company (led by Thomas Grant KC of Wilberforce Chambers)
- Acted in a claim for rescission of an SPA in the risk management sector (led by Andrew Twigger KC)
- Acted for a leading supplier of agricultural machinery in claims for misrepresentation and breach of contract, including terms under the Sale of Goods Act 1979
- Instructed in an expedited action following the grant of an urgent injunctive relief, involving issues of estoppel and pandemic-related force majeure (led by Thomas Grant KC of Wilberforce Chambers)
- Acted in a dispute over a purchaser's entitlement to reimbursement under the terms of an SPA for tax paid in various jurisdictions (led by Andrew Ayres KC of Twenty Essex)
- Instructed in an international arbitration concerning a contractual dispute between pharmaceutical companies based in South America and Asia (including an arbitration claim in the Commercial Court led by Jasbir Dhillon KC of Brick Court)
- Acted in a dispute concerning hedging arrangements governed by a 1992 ISDA Master Agreement (led by Andrew Ayres KC of Twenty Essex)
- Acted in an application and appeal concerning the retrospective extension of service for a claim (led by Tim Penny KC of Wilberforce Chambers)
- Acted for a course provider in two consumer rights disputes (including an appeal) regarding the purported cancellation of contracts for course fees
- Instructed by a toy distributor in a contractual dispute regarding an option agreement (led by David Mumford KC)
- Acted for a Bahraini bank in a contractual dispute regarding aircraft financing (led by Andrew Ayres KC of Twenty Essex)
- Instructed in a methane production, engineering and licensing dispute (led by Andrew Ayres KC of Twenty Essex)

ART & CULTURAL PROPERTY

As a result of her broad commercial chancery practice Narinder has developed expertise in a range of areas relevant to art and cultural property matters – including the principles governing the sale of goods, ownership and security interests in personal property, fraud, misrepresentation, negligence, restitution, agency and warranties; situations involving trusts and charities; and the implications of insolvency. In addition, Narinder has completed a Diploma in Art Law covering both domestic and international legal principles relating to art and antiquities transactions, for which she was awarded a distinction by the Institute of Art and Law.

Examples of her work including the following:

- Acting for a gallery in a dispute concerning the sale of a work by Banksy.
- Providing pro bono assistance (via Advocate) to an artist in a case arising out of damage to a number of paintings and requiring analysis of bailment duties and limitation periods.

BANKING & FINANCIAL SERVICES

Narinder has acted in a number of matters involving lenders' rights and obligations, and other issues arising in the context of banking and financial services including regulatory matters. Examples of her work include the following:

- Acted for the bank in a case relating to the enforcement of various rights and obligations arising out of derivative contracts, in the context of a bankruptcy petition (alongside Benjamin John)
- Advised on various issues arising in respect of the proposed assignment of a claim regarding the sale of an interest rate swap transaction (led by Christopher Parker KC)
- Acted for the bank in an urgent application for a freezing injunction on the basis of a suspected mortgage fraud (led by Thomas Grant KC of Wilberforce Chambers)
- Acted in a complex and valuable claim alleging the mis-sale of interest rate swap transactions (led by Anthony Trace KC with Benjamin John)
- Advised a mortgagee where the enforcement of its possession order was resisted on the grounds that it had allegedly paid secret commissions (led by Amanda Tipples QC as she then was, now Mrs Justice Tipples)
- Acted for the bank in a claim alleging breach of mortgagees' duties regarding enforcement
- Instructed by a mortgagor in a dispute concerning the remuneration and fees charged by LPA receivers
- Advised a company on the regulatory implications of advancing loans to employees as part of an incentive scheme

CHARITIES

Narinder is developing a practice in relation to the law of charities, offering both non-contentious advice and assistance in relation to applications and disputes. The breadth of her expertise means she is well placed to assist in situations where there is overlap between specialisms (for example dispositions of charity land, a subject on which she has delivered training).

CIVIL FRAUD

Narinder has acted in several substantial matters involving civil fraud and asset recovery, often including urgent applications for interim relief. Examples of her work include the following:

- Acting for the DPP in the ***Blue Sky*** proceedings concerning the recovery of cryptocurrency as proceeds of crime (led by Thomas Munby KC, and Martin Evans KC of 33 Chambers)
- Instructed by a Cayman bank in a civil fraud dispute to seek Norwich Pharmacal / Bankers Trust orders and related relief, involving applications for injunctions against persons unknown (led by Dominic

Chambers KC)
- Instructed by the claimants in an international civil fraud claim for specific performance of a share transfer agreement and breach of trust
- Advised an individual who had provided funds for the purchase of certain shares as to potential claims for recovery of the funds or an interest in the shares, involving issues of jurisdiction, governing law and overlapping proceedings (as part of a wider dispute alongside Thomas Munby KC)
- Assisted the claimant in a large-scale Guernsey dispute regarding a property investment trust involving allegations of sale at undervalue (led by Matthew Collings KC)
- Acted for the claimants in long-running claim for conspiracy, breach of confidence and defamation brought by a prominent Saudi real estate development company and a Bahraini bank (led by Anthony Trace KC and Mark Warby QC of Three Raymond Buildings as he then was, now Lord Justice Warby)

COMPANY & PARTNERSHIP

Narinder has developed expertise in disputes concerning a range of business structures, including ordinary and limited partnerships as well as companies. Examples of her work include the following:

- Acting in director disqualification proceedings arising out of use of the Bounce Back Loan Scheme
- Advising in potential director disqualification proceedings (led by Michael Gibbon KC).
- Acted for the Competition and Markets Authority in directors disqualification proceedings and appeals arising from an alleged competition law infringement in the pharmaceutical industry (led by Catherine Addy KC, and Tristan Jones KC of Blackstone Chambers)
- Acted for the Competition and Markets Authority in a claim by disqualified directors for permission to act manage a group involved in the sale and manufacture of sheet lead (led by Catherine Addy KC)
- Acted in a partnership claim and unfair prejudice petition concerning a family-run restaurant business (led by James Aldridge KC)
- Acted in a long-running partnership dispute concerning an international jewellery business (led by Andrew Twigger KC and James Aldridge KC)
- Acted for the claimants in an urgent contested application for the rectification of the companies register in a shareholder dispute
- Acted in a Mercantile Court dispute regarding the payment of loans and expenses to directors
- Acted in an international private equity investment management dispute concerning a limited partnership (led by Andrew Ayres KC of Twenty Essex)
- Instructed in a large-scale shareholder dispute involving the appointment of provisional liquidators (led by Matthew Collings KC and Richard Morgan KC).

COMPETITION

Narinder has been instructed in a number of competition-related matters in the capacity of a commercial / company law barrister. Examples of her work include the following:

- Acting for the proposed class representative in collective proceedings on behalf of app developers against a global technology group in respect of its app tracking transparency framework (led by Gerry Facenna KC of Monckton Chambers)
- Acting for a global technology group in collective proceedings concerning alleged abusive conduct in the online search market (led by Meredith Pickford KC and Josh Holmes KC of Monckton Chambers)
- Acting for a manufacturer in multiple follow-on claims as part of the UK Trucks Second Wave Proceedings (led by Charles Hollander KC and Tony Singla KC of Brick Court Chambers)
- Acted for the Competition and Markets Authority in directors disqualification proceedings and appeals arising from an alleged competition law infringement in the pharmaceutical industry (led by Catherine Addy KC, and Tristan Jones KC of Blackstone Chambers)
- Acted for the Competition and Markets Authority in a claim by disqualified directors for permission to act manage a group involved in the sale and manufacture of sheet lead (led by Catherine Addy KC).

INSOLVENCY & ASSET RECOVERY

Narinder has acted in a number of matters involving issues of bankruptcy and insolvency. She has experience of drafting and appearing in a range of applications – such as those for set aside of statutory demands, restraint of presentation and advertisement of winding up petitions and declarations regarding steps taken by office holders. She has also been instructed in a number of cases to advise on the legal issues and strategic considerations in play where a party is (potentially) insolvent. Examples of her work include the following:

- Advised in winding up proceedings in respect of a debt arising out of the provision of inadequate PPE during the pandemic
- Acted for leaseholders in a multi-party dispute concerning fire safety and roofing issues arising from the redevelopment of a residential property complex, involving the consideration of strategy and procedure where the former freeholder had entered into administration (led by Edwin Johnson QC as he then was, now Mr Justice Edwin Johnson)
- Advised a Guernsey company in respect of a claim brought against it for the immediate repayment of a loan advanced for a property development, in circumstances of potential insolvency
- Advised an equipment hire firm as to its rights to recover property stored at the premises of a lessor in administration, involving consideration of the implications of the moratorium and potential rights of action against the administrators
- Assisted with research concerning the effect of a proof of debt in a substantial BVI dispute

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MEDIA & ENTERTAINMENT

Narinder has experience of representing and advising clients in the media and entertainment sector, in both contentious and transactional contexts. She is able to bring expertise to bear in a number of relevant areas of practice, including company law and economic torts. Examples of her work include the following:

- Advised in a dispute concerning the allocation of shares and remuneration to a consultant in respect of a

media company
- Advised the directors of a media company in relation to the construction of a shareholders' agreement and general principles of company law, in relation to potential disputes over the occurrence of an obligatory share transfer event and engagement in competitive activities
- Advised a firm of solicitors acting for a number of celebrities and other clients with privacy concerns in relation to company law requirements for the publication of information
- Acted for a production company in a claim for misrepresentation and breach of confidence in connection with the format of a television show (alongside Edmund Cullen KC)
- Instructed by the home entertainment division of a multinational mass media company in a claim for royalties under a distribution agreement

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REAL ESTATE

Narinder has acted in a number of property-related disputes, in both a residential and commercial context. As well as dealing with issues of land and landlord & tenant law, her experience in a range of other areas enables her to address further angles which may arise in the course of such disputes – including issues of insolvency, breach of fiduciary duty and lenders' rights. She has delivered training for the Property Litigation Association on a number of occasions, including sessions on forfeiture, landlord & tenant insolvency, and dispositions of charity land. Examples of her work include the following:

- Acted for the developer in a rights of light dispute relating to a property on Oxford Street, mentioned by Estates Gazette alongside its Top 10 Cases of 2022 (led by John McGhee KC of Wilberforce Chambers)
- Advised an occupier of a business park in relation to the apportionment of service charges under a series of deeds
- Acted for the adjoining owner in a rights of light dispute relating to the construction of a hotel in Wimbledon (led by John McGhee KC of Wilberforce Chambers)
- Acted for leaseholders in a multi-party dispute concerning fire safety and roofing issues arising from the redevelopment of a residential property complex, involving the consideration of strategy and procedure where the former freeholder had entered into administration (led by Edwin Johnson QC as he then was, now Mr Justice Edwin Johnson)
- Advised a mortgagee where the enforcement of its possession order was resisted on the grounds that it had allegedly paid secret commissions (led by Amanda Tipples QC as she then was, now Mrs Justice Tipples)
- Advised a Guernsey company in respect of a claim brought against it for the immediate repayment of a loan advanced for a property development, in circumstances of potential insolvency
- Advised an equipment hire firm as to its rights to recover property stored at the premises of a lessor in administration, involving consideration of the status of the lease over the premises
- Advised the owner of a high value residential property on strategic considerations in relation to a dispute with their lodger for non-payment of sums due and damage to the premises
- Assisted the claimant in a large-scale Guernsey dispute regarding a property investment trust involving allegations of sale at undervalue (led by Matthew Collings KC)
- Acted for a judgment creditor in an urgent application for an injunction preventing the sale of a residential property pending the determination of a Part 8 claim for sale based on charging orders

- Acted for the claimant in a claim for wrongful eviction from business premises, involving analysis of the claimant's rights (whether as tenant or a licensee as contended by the defendant)

DIRECTORY QUOTES

"Narinder is a brilliant advocate who has an incredible command of the details, produces excellent and compelling written work, and is a delight to work with. She is client-focused and an excellent team player."

Chambers UK Chancery: Commercial (2027)

"Narinder is incredibly bright and very capable. She operates light years ahead of her call."

Chambers UK Chancery: Commercial (2027)

"Narinder has a quiet disposition but is fierce. She did some cross-examination at the trial, and you could see the juniors on the other side saying "God, I wish I could do that."

Chambers UK Chancery: Commercial (2026)

"Narinder's written work is always fantastic. She's one of those where, if you're against her, you see her name on the other side and you know you'll be in for a difficult time."

Chambers UK Chancery: Commercial (2026)

"Narinder is a great barrister who is brilliant at document management."

Chambers UK Chancery: Commercial (2026)

"Narinder is very responsive and knowledgeable, and had a good grasp of the cases she's instructed on."

Chambers UK Chancery: Commercial (2025)

"Narinder is professional, reliable and responsive."

Chambers UK Chancery: Commercial (2025)

"Narinder combines a collaborative, responsive approach with excellent technical skills and good commercial sense. She has the ability to swiftly grasp the legal and factual aspects of complex, long running cases, and works seamlessly with the solicitor team towards achieving the client's commercial objectives."

Chambers UK and Global Chancery: Commercial (2024)

"Very responsive, she really rolled her sleeves up and got stuck in. She worked on a very, very technical case and got up to speed really quickly."

Chambers UK and Global Chancery: Commercial (2024)

"Narinder combines a highly approachable, responsive and collaborative manner with exceptional technical skills. She has an astonishing ability to absorb and retain factual detail, applying it to great effect alongside her very sharp legal acumen."

Chambers UK Chancery: Commercial (2023)

"She is a great strategist with the ability to keep the bigger picture in mind at all times. A pleasure to work with."

Chambers UK Chancery: Commercial (2023)

"Her organisation is meticulous and her attention to detail is extremely impressive."

Chambers UK Chancery: Commercial (2022)

"She is absolutely brilliant. She has a good way of thinking and a razor-sharp mind."

Chambers UK Chancery: Commercial (2022)

"One of the most approachable and engaged barristers at the Bar. She's heavily involved in every aspect of the case, and is extremely focused on detail, particularly on technical legal points."

Chambers UK Chancery: Commercial (2021)

"She is very bright, conscientious and accessible. Even though she's very technically strong, she's also good at providing concise and comprehensible advice."

Chambers UK Chancery: Commercial (2021)

MEMBERSHIPS

- Chancery Bar Association
- Charity Law Association
- Chartered Institute of Arbitrators (ACIArb)
- Commercial Bar Association
- Competition Law Association
- Insolvency Lawyers' Association
- Institute of Art & Law

- Property Bar Association

APPOINTMENTS

- Attorney General's London B Panel of Junior Counsel
- Competition and Market Authority's Panel of Standing Counsel
- Deputy District Judge (Civil; Business & Property)

QUALIFICATIONS

- BA (Hons) Law (First): Downing College, Cambridge
- Bachelor of Civil Law: Hertford College, Oxford

NOTABLE CASES

- *Nikki Stopford v Alphabet Inc. and others (2024)*
- *Surrey Searches Ltd v Northumbrian Water Ltd and others (2024)*
- *Advanz Pharma Corp. Limited and others v Competition and Markets Authority (2024)*
- *UK College of Business & Computing Ltd v Bath Spa University (2020)*
- *Phoenix Healthcare Distribution Ltd v (1) Sally Woodward (2) Mark Addison (2018)*
- *(1) Sally Woodward (2) Mark Addison v Phoenix Healthcare Distribution Ltd (2018)*
- *Novus Aviation Ltd v Alubaf Arab International Bank BSC(C) (2016)*
- *Richard Campbell v Robert Campbell (2016)*
- *Dar Al Arkan Real Estate Development Co v Majid Al-Sayed Bader Hashim Al Refai (2012)*
- *Caldero Trading Ltd v Beppler & Jacobson Ltd & Ors (2012)*