

Ravi Aswani

Call: 2000

CEDR Accredited Mediator

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Ravi Aswani has a broad commercial practice including shipping and international trade, insurance and re-insurance and banking and finance, as well as general commercial and chancery work. Ravi has a particular specialization in shipping and international trade: he is recommended in both the Chambers and Partners UK Guide and the UK Legal 500 as a leading junior barrister in shipping law:

Chambers and Partners UK 2011 - 'impressive, bright, personable and articulate'.

Legal 500 UK 2010 - 'quick, extremely effective, and highly competent in arbitration claims'.

Legal 500 UK 2009 - 'bright, approachable and hands-on'.

Ravi was called to the Bar of England and Wales in 2000. Before coming to Stone Chambers, he spent six months at the Court of Appeal working as a judicial assistant to Sir Andrew Morritt V-C and to Lord Phillips MR. In 2008 Ravi was admitted to the Register of Practitioners of the Dubai International Financial Centre Courts. In 2009 Ravi gained CEDR accreditation as a mediator, and in 2010 Ravi was admitted to the Worshipful Company of Arbitrators. He has in a number of recent cases been instructed to appear as sole counsel against QC opposition.

Ravi has a broad domestic and international client base, and in addition to his practice as Counsel he offers services as a mediator (since 2009) and arbitrator (since 2010).

Practice Areas

General Commercial and Chancery

- Commercial dispute resolution – litigation, arbitration and mediation
- Drafting and advising on contracts and contract terms and conditions and advising on related procedural matters

Insurance and Reinsurance

- Construction of policies
- Disputes as to coverage and non-disclosure
- Protection and indemnity policy / marine insurance advice

Banking and Finance

- Construction of bills of exchange, letters of credit, performance bonds and guarantees

Shipping and International Trade

- “Wet” shipping, in particular collisions, groundings and incidents requiring salvage or towage assistance and consequent claims by various interested parties. Extensive experience of complex salvage and wreck removal cases, having been variously led in LOF and Wreckhire arbitrations by John Reeder QC, Elizabeth Blackburn QC and Vasanti Selvaratnam QC and more recently instructed as sole counsel.
- “Dry” shipping, primarily disputes as to liability for short, late and unsound delivery of cargo, and problems relating to shipping vessel and documentation. Extensive experience of claims proceeding under LMAA terms, of arbitration applications in the Commercial Court, and of claims proceeding in the Commercial Court and the London Mercantile Court.
- Significant experience also in relation to shipbuilding, ship sale and purchase, and all aspects of port operation.
- Specific experience of regulatory aspects of shipping and the environment
- Experience of civil fraud in the maritime context
- Domestic and international disputes arising out of contracts for the sale and / or transport of goods (by air, road and rail as well as by sea), extensive experience of advising under BIFA, CMR and RHA terms, as well as underlying contracts of insurance.

Significant Cases

Ravi is currently instructed in a considerable number of Commercial Court actions and commercial arbitrations, many of which may come on for trial during 2011.

In the past few years Ravi has acted as counsel in a number of substantial arbitration hearings (primarily as sole counsel but also as junior counsel in larger cases).

Ispat Industries Ltd v Western Bulk Pte Ltd [2011] EWHC 93 (Comm) - whether majority arbitrators under any obligation expressly to consider views expressed by dissenting arbitrator (led by Nigel Cooper QC);

D/S Norden A/S v Samsun Logix Corporation [2009] BPIR 1367 – factors to be considered by Court when determining application for permission to bring proceedings and/or enforce security against a foreign insolvent company;

BTC Bulk Transport Corporation v Glencore International AG [2006] EWHC 1957 (Comm) – whether alleged error of law in award where application under s69 Arbitration Act 1996 not possible for want of reasoned award could be relevant to irregularity for purposes of s68 Arbitration Act 1996 application;

Exfin Shipping (India) Ltd v Tolani Shipping Co Ltd [2006] 2 Lloyd’s Rep 389 – whether an admitted but unpaid liability constitutes a “dispute” within the meaning of an arbitration clause;

Bermuth Lines Ltd v High Seas Shipping Ltd (The Eastern Navigator) [2006] 1 Lloyd’s Rep 537 - whether arbitration can validly be commenced by email sent to general information email address;

LG Korbetis v Transgrain Shipping BV [2005] EWHC 1345 (Comm) – application of postal rule to misdirected letters of acceptance;

Triton Navigation Ltd v Vitol SA (The Nikmary) [2004] 1 Lloyd’s Rep 55 - Appeal to Court of Appeal on point concerning timing of charterer’s obligation to provide / load cargo (led by Timothy Hill).

Appointments & Rights of Audience

2000 – Called to Bar of England and Wales

2001-2002 – Judicial Assistant at Court of Appeal of England and Wales

2008 – Admitted to Register of Practitioners of the Dubai International Financial Centre Courts

2009 – CEDR Accredited Mediator

2010 – Admitted to Worshipful Company of Arbitrators

Publications / Lectures

“Transactions in Fraud of Creditors: The Foreign Element” [2005] 1 International Corporate Rescue 29 (co-authored with Steven Gee QC)

“Non disclosure in insurance law, a more principled approach” (2006) 64 Amicus Curiae 10

Ravi is on the editorial panel for the Informa Professional Academy self study course “An Introduction to Admiralty Law and Practice” with responsibility for the “Collisions at Sea Part II” module (2009)

Ravi is also a periodic contributor of articles to trade publications such as Lloyd’s List.

Ravi is on the board of supporting practitioners for the Bar Professional Training Course at Kaplan Law School. Ravi has delivered lectures and seminars on commercial dispute resolution, commercial law and in particular shipping law topics to a variety of legal and trade audiences both in the UK and abroad (including the USA, India, Abu Dhabi, Oman and Qatar).

Languages

Gujarati (fluent)

Professional Memberships

Bar Pro Bono Unit

Bentham Club

British Maritime Law Association

CEDR Exchange Network

Commercial Bar Association

Foreign Direct Investment International Moot Competition - College of Arbitrators

London Common Law and Commercial Bar Association

London Court of International Arbitration - Young International Arbitration Group

London Maritime Arbitrators’ Association – Supporting Member

London Shipping Law Centre - Founding Member of Young Maritime Practitioners’ Group

UK India Business Council – Next Generation Network Member

Worshipful Company of Arbitrators

Education

- 1996 – 1999 University College London, LLB (first class honours)
1999 – 2000 Nottingham Law School, bar vocational diploma (very competent)

Awards and Scholarships

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| University College London | Andrews Prize |
| | Simmons & Simmons EC Law Prize |
| | Titmuss Sainer Dechert / CCH Company Law Prize |
| | Sweet & Maxwell Prize |
| | Dean's List |
| Nottingham Law School | Taylor Prize Runner Up |
| Lincoln's Inn | Hardwicke Entrance Award, 1998 |
| | Sir Thomas More Bursary, 1999 |
| | Buchanan Prize, 2000 |
| | Megarry Scholarship, 2000 |