



Smita Paliwal

Partner

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Areas of Practice:

Corporate & Commercial
Insurance
Arbitration
Litigation
Employment Laws

As a Partner- Dispute Resolution, Smita's primary fields of practice include regulatory approvals, joint ventures, acquisitions, company law, labour and employment law, exchange control, general commercial transactions and corporate litigation. She also leads the firm's division on prevention of sexual harassment (POSH). She also leads workshops and client training in sexual harassment prevention.

Education:

LLB, National Law
University, Jodhpur
LLM, Rajasthan
University

Representative Clients :

Some of the clients that Smita advises include HPCL, MRPL, Honeywell, Siemens, Swiggy, Johnson Controls, Citibank, Ashok Leyland, Nissan, Aviva, Tata AIA, PNB MetLife, Bajaj Allianz, DHFL, Bella India Healthcare, Perry Johnson, Times Innovative Media Ltd.

Affiliations:

Karnataka Bar Council

Labour/Workmen/Employees –

She has extensively advised clients on various issues relating to retrenchment of employees in accordance with the provisions of the Industrial Disputes Act, 1947 including advice on payments due to such employees under the Provident Fund Act, Gratuity Act, etc., Labour disputes pertaining to employment agreements. Assisted clients in connection with employment contracts of senior managerial personnel and junior level employees.

Assisting clients through challenging disciplinary and legal action processes, such as disciplinary hearings, bargaining council negotiations. Advised clients on handling of POSH cases, been a member in the POSH committee for multinational companies.

Litigation and Arbitration –

Drafted original suits and petitions, interlocutory applications, criminal complaints, notices, reply notices etc., researched case laws, briefed senior counsels and appeared before the High Court as well as lower courts, consumer courts, etc., Karnataka Pollution Control Board, Office of the Commissioner of Central Tax, National Company Law Tribunal at Bangalore.

Resolution of Domain Name Disputes –

Through Uniform Domain-Name Dispute-Resolution Policy (UDRP). Drafting and filing of complaint, assisting the client with settlement process.

Relevant Recent Experience –

- Representing Swiggy in an administrative proceeding before the UDRP, WIPO.
- Representing MRPL in one of the arbitration proceedings.
- Representing HPCL in a high stake matter at High Court of Karnataka.
- Representing Times OOH before High Court of Karnataka regarding the recent circular issued by the BBMP banning usage of polythene in advertisements/ hoardings.
- Advised Vikram Hospital (Bengaluru) Pvt. Ltd. for setting up of an Ethics committee under Indian Council of Medical Research Ethical Guidelines also served as a member for two years.
- Advised PNB MetLife Insurance for setting up a committee for handling a complaint filed under POSH, also served as a chairman. Also served as a member of POSH at RGF Select India Pvt. Ltd. and Vikram Hospitals (Bengaluru) Pvt. Ltd.
- Advised, represented Quest Offices for opening of various business centers across India.

Conferences, Seminars & Publications –

- Presented a paper on “Eminent Domain & Compulsory Licensing Provisions in Patents” in a National Seminar on Intellectual Property Rights at Udaipur in the year 2009.
- An article named “Criminalization of Hacking in The Age of Information: A Critique on the Present Punitive Approach” got published in the NLU-Journal edition of 2010.