

RESUME

NAME ; Mr. Suhail Shaikh

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QUALIFICATION ; B.S.L-L.L.B

DATE OF BIRTH ; 07-07-1987

LANGUAGES SPOKEN ; Excellent Spoken & Written
English, Hindi, Marathi

Passport Number : L4814594

Experience:-

Sr. No.	Company	Year	Designation
1.	Top Lawyers Legal & Consultancy Law Firm	2017- Present	Senior Advocate
2.	Practice at Bombay High Court and other Metropolitan Courts	2013-2017	Advocate cum Attorney
3.	Sunraysia Research Labs Pvt. Ltd.	2011-2013	Assistant Legal Manager
4.	Monarch Innovative Technology Pvt. Ltd./ Deolali Vyapari Co-operative Bank	2009-2011	Retainer

EXPERIENCE:

1] Top lawyers legal and Consulting Pvt Ltd: Looking after the legal matters of Top lawyers legal and Consulting Pvt Ltd as Retainer. Practice in Bombay High Court, City Civil Court and other Metropolitan Courts in Mumbai. Conducting and handling all legal matters, contracts, court cases, Arbitration cases, Anticipatory Bail Application, multiple litigation in city civil court, high court, metropolitan courts, contracts, consumer cases at Consumer Forum, State Consumer commission, National consumer commission, labour cases, employee contracts, trademark registration. To file and monitor cases under Land Acquisition Act to recover the compensation from the Government as per the market value of the land.

National Company Law Tribunal, Mumbai: Practiced in NCLT by filing insolvency proceedings against corporate debtor on behalf of financial creditor and operational creditor.

Real Estate Sector : Provide Title search, Title Verification Report, obtain 7/12 extract from Talathi/Authority, Obtain and search 6D mutation entry about the title of the owner. Apply for Non Agricultural permission of the Collector, Conversion of the land from Agriculture to Non Agriculture. Also registration of Sale Deed, Property Maintenance Agreement, Lease Agreement for 999 years, mortgage Agreements. Apply for government measurement of the land from government Land Survey Department.

Also Drafting and vetting of Franchisee Agreement, Master Service Agreement, Assignment Deed, Brokers Agreement etc.

Consumer Cases: Filing of Consumer cases for unfair trade Practice and deficiency in services on behalf of the individual purchaser and obtain the suitable Court Order securing the interest of the clients. So far successfully managed to take the favorable judgements against big real estate giants like Lodha Group, Nirmal Lifesyle. Etc

One of the case M/s Everlasting & Company Vs Mr Amarnath Singh, in which I represented Mr Amarnath Singh in Appeal before State Consumer Commission, Mumbai is given in link below for your perusal.

In this case, the Builder M/s Everlasting & Company constructed the Building in 1988 and 95% work of the building was also done. But the dispute arose between 12 partners of the Builder M/s Everlasting & Company and they took the STAY ORDER from Superior Court i.e Bombay High Court. Because of STAY ORDER, Builder M/s Everlasting & Company could not able to handover the possession of flat and shop booked by my client Mr Amarnath Singh. Hence my client lodged the Consumer Case against Builder M/s Everlasting & Company, in which Builder M/s Everlasting & Company represented by Advocate argued that the since High Court has stayed the Development of the Project, so flat & shop cannot be handed over to my client. I referred and relied upon one judgement delivered by National Consumer Disputes Redressal Commission, Delhi, which held that even if the Project has been stayed by the order of Civil Court, Consumer Court is not barred from passing the order and relief in favor of the Consumer under Consumer Protection Act. Hence the State Consumer Commission, dismissed the Appeal filed by Builder M/s Everlasting & Company and confirmed the lower Court order.

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Maha RERA: Filing of cases with Maha RERA for various illegal and unlawful acts like delay in handover of possession of flats, Sale of Parking by Builder, Non execution of Conveyance in favor of Society, failure to obtain Occupation/Completion Certificate, structural defects, charging extra advance maintenance, failure to provide amenities as agreed in Brochure/Advertisement/Sale Agreement.

Maharashtra Ownership of Flats Act: This Act has made illegal and unethical practice imposing the jail term to Builder and Developer In case of contravention of provisions of this Act.

Cheque Bounce Cases : Timely filing of cheque bounce cases under section 138 of Negotiable Instrument Act as per Notification of Reserve Bank of India w.e.f 01/04/2016 and recent amendment in Negotiable Instrument Act.

Finding and obtaining the actual evidences from the place of the occurrence of the incidence in favor/support of the company and against opposite party in order to strengthen the case of the company

Obtain opinion on the new policy of Government / big controversial issues which affect the company growth and profit from the Senior Counsel, Retire Justice from High Court, Supreme Court of India.

Banking Ombudsman : To file cases before the Banking Ombudsman for the breach of terms and condition, default in duties and responsibilities on the part of the Banks, filing cases against Bank for failure to provide NOC after loan closure or demanding more money after loan closure.

CRIMINAL CASES : I have handled various criminal cases including cases for serious offences in which there is Death Penalty. I have filed Bail Application, Anticipatory Bail Application before the Session Court/Bombay High Court. Also filed the police complaints for serious offences, if the police failed to take cognizance then filed application under Section 156(3) of CrPC for getting the direction to the police to lodge First Information Report (FIR)

In one of such case, the accused through relatives approached me for getting the accused out of jail on Bail as accused were lodged in Central Jail, Talaja since last 9 months from date of FIR. Earlier the relatives tried through different Advocate for bail which was rejected 2 times by Session Court, Mumbai and 2 times by Bombay High Court. Thereafter relative of accused approached me and I dig out some important evidence about 20 criminal antecedents of the complainant himself and on that basis argued the Bail Application before the Session Court, Mumbai. The Session Court was convinced and granted Bail to the Accused. The copy of the judgement in Mohammed Salman Vs State of Maharashtra is given in link below.

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Obtain certified copies of the order passed in the cases as early as possible so as to enable the client/ Management to decide next steps required to be taken in the cases. Also provide important information, laws, Notifications, Government Resolution to the Counsel on record so that he can effectively represent and fight the case in the Court on the basis of facts and updated laws.

Debt Recovery Tribunal Cases : Non Performing Assets (NPA) cases of the company pending before Debt Recovery Tribunal, Filing Civil Suit in Civil Court to avoid the recovery process initiated by the Banks against the mortgaged properties of the company.

In one of the case, I represented the Rakshak Industrial Security Agency Pvt Ltd, which received the attachment order passed by the District Magistrate. As per the law, the Debtor/Borrower has no right of hearing/representation after the recovery application is filed by the Bank/NBFC before the District Magistrate(D.M). So the D.M. passed the order exparte without hearing my client and my client received the Notice for attachment and seizure of four commercial shops located in Navi Mumbai. So Rakshak Industrial Security Agency Pvt Ltd, approached me for relief and I immediately filed the Securitisation Application before the Debt Recovery Tribunal, Vashi.

On the very first day, I had successfully argued the matter by pointing out certain lacuna in the Order passed by D.M and got the STAY ORDER, which is attached in link for perusal.

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Intellectual Property Rights: Registration of Trade mark registration, Trade mark name search, Copyright, Design etc. File criminal cases for Trademark Infringement under the Trademarks Act, 1999 in the Police Station or obtain order under Section 156[3] of Cr.P.C against the violator of Intellectual property laws. Personally argued at the hearing schedule before the Trademark Officer regarding objections raised by Registrar of Trademark in the Trademark applications and got the positive order.

Quashing of FIR/Chargesheet: There are many incidence where false cases are filed specially in case of business rivalry with feeling of revenge. In this circumstances, the Police register the offence without making prior investigation and lodges false FIR. Under Article 226 of Constitution of India and as per Section 482 of Criminal Procedure Code, the right is given to Accused to approach the High Court for cancelling/quashing the false FIR lodged against him on false grounds without his fault.

In one of such case, the accused approached me to get the First Information Report (FIR) quashed which was lodged under Section 354 of IPC for outraging the modesty of women, 341 of IPC for wrongful restraint and other relevant sections. So I filed the Criminal Writ Petition for Quashing of FIR. The copy of the judgement in Himanshu Umesh Kumar Raj Vs State of Maharashtra is given in link below for reference.

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Redevelopment of Building: For the redevelopment of Building, the Society members have to invite tenders from prospective Builder & Developers and execute the Redevelopment Agreement with the Builder with terms and conditions set out in the agreement.

Labour Court Cases: When there is illegal termination of the labour from the company without following due process of law then in that event the labour approaches the Labour Commissioner with the grievance and thereafter considering the reply from the management of the company, the Commissioner of Labour passes the order according to labour laws.

If the Dispute is not settled before Labour Commissioner then in that event he refer the case to Industrial Court for examining the evidence and decision of the case.

In one of such labour case, I represented the terminated employee in Writ petition filed by the Company in Bombay High Court. After hearing both the parties, the Bombay High Court was pleased to dispose of f this writ petition. The copy order passed in Writ Petition filed by Eveready Industries India Ltd Vs Mr Hadawale & Mr Satam is given in link below for reference.

https://drive.google.com/drive/u/0/folders/1OfwuHVM87T_IJPRWhOKiSd3NNXAlu8yO

Maharashtra Co-operative Society Act 1960 (MCS Act) : I have filed various cases under MCS Act on behalf of society members before Deputy Registrar of Society for refusal of membership by society, refusal of share certificate by society, application for expulsion of member from society etc.

In one of such case, I represented managing Committee of Ajay Co-operative Housing Society, Navi Mumabi in revision application before Minister of Co-operative Society, Mantralaya, Mumbai, in which I successfully got the STAY ORDER against the order passed by Registrar of Society which disqualify the entire managing Committee of Ajay Co-operative Housing Society and appointed Authorised Officer as Administrator to look after the affairs of the society. I also represented managing Committee of Ajay Co-operative Housing Society before the Bombay High Court in Writ Petition filed by the society member against the said STAY ORDER passed by Minister of Co-operative Society, Mantralaya, Mumbai, which was also successfully disposed of by the High Court. The said case filed by Santosh Deoram Garje Vs Mr Bharathkumar Ganganmoni is given in link for reference.

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Experience in Litigation & Non Litigation side.

ROC Compliance: Registration of the Private limited companies, Public limited companies, NGO,

High Court Matters : Drafted and filed various writ petition, appeal, revision, bail application, anticipatory bail application under Family Court Act, Arbitration Act, Labour laws etc. [From 2017 to Present]

2] Bombay High Court : Worked as Advocate in Bombay High Court and handled the Writ Petition, Civil Writ Petition, Criminal Writ Petition, Public Interest Litigation, Anticipatory Bail Application, Bail Application, Criminal Revision Application etc. Worked with law firms like Mulla and Mulla, Bharucha & Partners, Wadia and Ghandy and briefed the cases to Senior Counsel like Adv Mustafa Doctor, Adv Navroj Servai, Adv J.S Kini, Adv Shoib Menon, Adv Aarif Doctor etc [From 2013 to 2017]

3] Worked as Asst. Legal manager of the Sunraysia Research Labs Pvt. Ltd drafting and executing the contracts of the company with dealer, Distributor, client NDA, Employment Agreement, Vendor Agreements, sale deed, leave and license agreements, mortgage agreements, also recover the debt amount from its Clients.

Registration under Food Safety Standard Regulation, Drugs and Cosmetics Act, Factories Act, Town Planning Act and DC Rules, The Shop & Establishment Act. [From 2011 to 2013]

4] Also Legal Retainer of the The Nasik Road Deoalali Vyapari Bank handling 138 cases under Negotiable Instrument Act and making various types of documents like mortgage deed, title certificate, search report etc. [From 2009 to 2013]

5] Experience of working as legal consultant/Retainer at Monarch Innovative Technology Pvt Ltd. [From Jan 2009 to Dec 2013]

PERSONAL SUMMARY: A bright, talented and ambitious lawyer who possesses a vast wealth of knowledge and has a proven record of providing indispensable advice to clients and delivering positive outcomes for them. A quick learner who can quickly absorb new situations and can communicate clearly and effectively with both legal professionals and members of the public. Constantly focused on resolving legal issues and always looking for ways to improve and evolve processes.

QUALIFICATION

Standard	Year	University
SSC	2001	Pune University
HSC[Science]	2003	Pune University
B.S.L-L.L.B	2009	Pune University

Yours Sincerely