



LAVESH KIRPALANI

Professional Qualifications

2017	Barrister, Hong Kong
2014	Member of the Chartered Institute of Arbitrators

Judicial Clerkship

2015 – 2016	Judicial Associate to Mr Justice Barma
2014 – 2015	Judicial Assistant at the Court of Final Appeal

Academic

2014	LLM, London School of Economics
2013	PCLL, City University of Hong Kong
2012	LLB, City University of Hong Kong
2010	BA (Hons) Business Administration and Management, University of Huddersfield

Practice profile

Lavesh joined Prince's Chambers after clerking at both the Court of Final Appeal and Court of Appeal.

Lavesh has a broad-based civil litigation and arbitration practice. He has experience in a range of cases, involving areas such as, general commercial, insolvency, company, white-collar fraud, shipping, harassment, employment, family and intellectual property. He has appeared as a sole advocate at the Court of First Instance, District Court, and the Magistracy and as a led junior in the Court of Appeal.

He was ranked in Legal 500 Asia Pacific (2021) for Commercial Disputes, "*He grasps the issues fast.*"

Lavesh has advised and represented clients in various matters including, most recently, shipping law, cryptocurrency, immigration issues, employment law, breach of contract, arbitration, email frauds, torts of conversion and detinue, private nuisance, economics torts, misuse of private information, harassment and intimidation

Lavesh is currently a Visiting Tutor at the University of Law (Hong Kong Campus).

Selected Cases

- **SJ v Yung Yiu Sing & Ors [2018] 4 HKLRD 438**, acted for the Secretary for Justice in the Occupy Central Minibus Criminal Contempt trial (led by Mr Victor Dawes SC, Mr Jin Pao SC, Mr Derek Chan SC).
- **SJ v Chu Sui Ying & Ors [2018] HKCFI 2396**, acted for the Secretary for Justice regarding sentencing in the Occupy Central Minibus Criminal Contempt trial (led by Mr Victor Dawes SC, Mr Jin Pao SC, Mr Derek Chan SC).

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- **SJ v Lou Tit Man [2019] 1 HKLRD 596**, acted for the Secretary for Justice in an appeal against sentence, arising out of the Occupy Central Minibus Criminal Contempt trial (led by Ms Fanny Wong).
- **Re Total Alliance Investments Limited [2020] HKCFI 1864**, successfully obtained a winding-up order with indemnity costs.
- **Re Asia Master Logistics Limited [2020] 2 HKLRD 423**, successfully obtained a winding-up order, where Deputy High Court Judge William Wong SC set out in obiter how a court should deal with arbitration dispute resolution clauses in winding-up / insolvency proceedings, with reference to the *Salford-Lasmos* principle.
- **Sea Trader International Ltd v Straits Bunkering Pte Ltd [2019] HKCFI 135**, successfully resisted an application for an injunction to prevent the presentation of a winding-up petition.
- **Hugo Boss Trade Mark Management Gmbh & Co KG v The Britain Boss Company Limited CACV 114/2015**, application for leave to appeal to the Court of Final Appeal from **[2018] 3 HKLRD 401** (led by Mr Sebastian Hughes) (judgment pending).
- **J-Land Korea Co Ltd v Choi Fung Trade Ltd [2020] HKDC 1009**, application for the continuation of a freezing order.
- **X and Y v Z [2020] HKCFI 2456**, successfully represented the defendant against the plaintiffs' application for costs.
- **X and Y v Z [2020] HKCFI 826**, successfully set aside an *ex parte* injunction order restraining Z from intimidating and harassing X and Y on the basis of material non-disclosure with an order for indemnity costs to Z (the injunction was re-granted in favour of X). The case dealt with the appropriate threshold for injunctive relief in harassment cases, as well as the legal principles regarding, gagging, anonymity and disclosure orders in harassment and intimidation cases.
- **ACT Resources International Ltd v Hong Kong Energy Resources [2020] HKCFI 232**, application for a freezing order (led by Mr Sebastian Hughes).
- **UM & MF Inc v Standard Chartered Bank & Fubon Bank (unrep)**, successfully obtained a *Norwich Pharmacal* order to trace funds transferred as a result of a scam.
- **Ah-fat Jean Max v Xian Corp Limited [2021] HKCFI 22**, represented the appellant in an employment contractual dispute.
- **Ah-fat Jean Max v Xian Corp Limited HCLA 11/2019 (unrep, 19 November 2019)**, successfully obtained leave to appeal to the Court of First Instance from LBTC 100/2018.

Arbitration:

Junior Counsel for a foreign claimant in a dispute, for the claimed sum of approximately €8m, arising out of a share and purchase agreement (HKIAC).

Junior Counsel in ICC proceedings valued in excess of HK\$100m concerning claims for payment under a distributorship agreement arising out of supply of aircraft parts against one of the largest aircraft manufacturers.

Publications

2020 – 2021	Contributing Editor <i>Hong Kong Civil Procedure (White Book)</i>
2015	Research Assistant, City University of Hong Kong – Legal English Project (https://legalenglish.hk/)

2015	Assisted Mr Justice Fok, as a Judicial Assistant of the Court of Final Appeal, in the preparation of <i>Money Laundering: A Comparative Perspective</i> (https://bit.ly/2tvWcj1)
2015	Assisted Chief Justice Ma as a Judicial Assistant on his speech titled, A Grail for All Seasons: Magna Carta (https://bit.ly/3gSXxEG).
2012	19 th Willem C. Vis International Commercial Moot and 9 th Willem C. Vis (East) International Commercial Moot 2011-2012, (2012) 16 International Trade and Business Law Review, pp. 433-552
2010 – 2011	Editor of the City University of Hong Kong Law Review
2009 – 2010	Member of the City University of Hong Kong Law Review

Appointments

2020 – 2021	Co-opted member of the Young Member Group Committee of the East Asia Branch of the Chartered Institute of Arbitrators, (https://bit.ly/2Zwlf1r)
2020 – 2021	Visiting Tutor at the University of Law
2019	Part-Time Tutor at the University of Hong Kong

Scholarships and Prizes

2013	Assistant coach to the City University of Hong Kong's 20 th Willem C. Vis International Commercial Arbitration Moot team (1st Place)
2012	City University of Hong Kong oralist and winner of the David Hunter Award at the Ninth Willem C. Vis East International Commercial Arbitration Moot (1st Place)
2012	City University of Hong Kong representative and recipient of an Honourable Mention for Best Claimant & Respondent's Memorandum at the Ninth Willem C. Vis East International Commercial Arbitration Moot
2012	Moot Court Prize from the City University of Hong Kong
2012	Certificate for Outstanding Performance in Mooting from the City University of Hong Kong
2012	City University of Hong Kong representative at the 3rd WAIDM-ACICA Australia Vis Pre-Moot (1st Place)
2012	City University of Hong Kong representative at the Shanghai Vis Pre-Moot (1st Place at the Shanghai e-Moot and Best Team Oralist at the Shanghai e-Moot)
2011 – 2012	Dean's List