

PRATIK DUTTA

| B.A, LL. B (Hons), Amity Law School, Amity University, Kolkata (2018-23) |

La Martiniere for Boys, Kolkata (Batch of 2018)

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EXPERIENCE

Legal Intern, Anhad Law, New Delhi, (July-August, 2023)

- Conducted a detailed analysis on the Digital Personal Data Protection Act, 2023.
- Solved a series of questions pertaining to adverse possession under the Transfer of Property Act, 1882.
- Attended proceedings of the National Company Law Tribunal at New Delhi.
- Attended the virtual proceedings of the Hon'ble Delhi High Court.
- Drafted a case brief pertaining to an issue under Section 354 of the Indian Penal Code, 1860.
- Briefed Senior Counsels on a case in relation to section 300 of the Indian Penal Code, 1860.
- Drafted and proof read various sale agreements and tenancy agreements.
- Solved a series of questions pertaining to the tax liability of the family members of a diplomatic agent under the Vienna Convention on Diplomatic Relations, 1961.

Legal Intern, AZB and Partners, Noida, (March, 2023) [Competition Law Team]

- Conducted research on the Central Board of Direct Taxes Circular 1, 2022 pertaining to return of Income for Assessment Year 2022-23.
- Solved a series of questions pertaining to the taxability of a corporate loan that had been converted into preference shares.
- Conducted research on a multinational aeronautical company operating in India and the impact they have on the competition in the Airline industry in India.
- Conducted research on the existing liability of a company to its creditors when its name has been struck off by the Registrar of Companies.
- Conducted research on Section 28(4) of the Customs Act, 1962.
- Conducted research on Section 13 and 19 of the Foreign Exchange Management Act, 1999 and waiving off requirement and prepayment of penalty amount under FEMA.
- Researched as to whether authorities can recover proceeds pending adjudication and appeal before the Appellate Tribunal under FEMA Act.
- Conducted research on a question pertaining to the meaning of person and whether trust can be treated as a person under FEMA, 1999.
- Conducted research on arbitrability of fraud, whether arbitral tribunal can go beyond scope of reference and found case laws on the principle of Kompetenz-Kompetenz in India.
- Conducted research and found case laws on the requirements of Standard Essential Patents and the obligations of an entity holding SEP's from a competition law perspective.
- Solved a series of questions ascertaining the fact that CCI/Director General investigations happen to be inquisitorial in nature, the true meaning of inquisitorial proceedings under the competition law regime and found case laws that proved that the Director General in competition law matters can cease to be the main objective in inquisitorial proceedings.
- Conducted extensive research pertaining to the Umar Javeed v. Google LLC case held before the Competition Commission of India which was adjudged on October, 2022.
- Helped draw a conclusion on a research article pertaining to the need for a central law regulating the online gaming industry and games considered as "games of skill" in India.

Legal Intern, Soumik Ghosal, Advocate on Record, Supreme Court of India (February, 2023)

- Conducted extensive legal research and found case laws on Section 9 of the CPC, Section 53A of the CrPC, Section 7 of the Insolvency and Bankruptcy Code, 2016 i.e., initiation of corporate insolvency resolution process by financial creditor and Section 251 the Companies Act, 2013.

- Briefed Senior Counsels on various cases pertaining to Section 375 and 376 of the IPC, Section 151 of the CrPC and Article 14 of the Constitution of India.
- Conducted research on “Mortgage by Conditional Sale” under the Transfer of Property Act, 1882.

Legal Intern, Aquilaw, Kolkata (July, 2022) [Litigation Team]

- Assisted on cases pertaining to Article 51A of the Constitution of India, Section 6 of the CPC and Section 62 of the Arbitration and Conciliation Act.
- Solved a problem question pertaining to a case under the aegis of the Rules, Regulations and Procedures of the West Bengal Legislative Assembly.
- Conducted research on the mode and laws pertaining to initiation of land acquisition in West Bengal.
- Attended the proceedings of the National Company Law Tribunal, Kolkata.

Legal Intern, ASV Legal, New Delhi (July 2021 – Aug 2021)

Assigned to Sanchita Ain, Advocate-On-Record, Supreme Court of India; Partner, ASV Legal

- Drafted a Legal Notice pertaining to payment of loan instalment which was sent to a renowned private bank situated in India.
- Drafted case summaries pertaining to matters under the Insolvency and Bankruptcy Code, 2016 that were heard before the National Company Law Tribunal
- Drafted a written statement in favour of a prominent Employees Welfare Housing Organisation before the State Consumer Disputes Redressal Commission, West Bengal.
- Researched on Rule 4 of the Insolvency and Bankruptcy (Application to Adjudicating Authority) Rules, 2016, an application for initiating the CIRP against a corporate debtor under Section 7 of the Insolvency and Bankruptcy Code, 2016.
- Conducted research in the case of *Ganga Saran vs. Ram Charan Ram Gopal AIR 1952 SC 9* pertaining to frustration of contract.
- Drafted a series of arguments for a petitioner pertaining to the recognition of Military Nursing Services as a part of the ex-servicemen branch of the Indian Armed Forces.

Legal Intern, Parijat Sinha, Advocate on Record, Supreme Court of India (May 2019- June 2019)

- Conducted legal research pertaining to Section 122 i.e., “Gift” under Transfer of property Act, 1882.
- Compiled a list of dates pertaining to a series of Insolvency and Bankruptcy cases.
- Performed detailed research on Part IV of the Constitution of India i.e., Directive Principles of State Policy and its clash with the Fundamental rights under Part III of the Constitution and Section 232 of the Companies Act, 2013 referring to Merger and amalgamation of companies.
- Worked on Section 3 of the Indian Stamp Act, 1899, Section 32 of the Registration Act, 1908 and Section 138 of the Negotiable Instruments Act, 1881 pertaining to dishonour of cheques.

Press Publications and Positions of Responsibility

- The Legality of the American Led Invasion of Iraq and Its Consequences on International Law- Published in The Book, Global Thoughts and Opinions Edited by Hon'ble Justice A.K. Sikri Bearing ISBN No. 978-81-947778-5-4.
- Nicaragua V. United States (Case Commentary) - Published in The Book, Global Thoughts and Opinions Edited by Hon'ble Justice A.K. Sikri Bearing ISBN No. 978-81-947778-5-4.
- Junior Research Analyst, Internationalism, Allahabad (June, 2020 – May 2021)