

# GOVINDER CHAMBAY

Call 2018

✉	govinder.chambay@guildhallchambers.co.uk
☎	0117 930 9000



Govinder Chambay is a specialist **Insolvency & Commercial** practitioner.

His practice spans advisory, advocacy, and drafting work at all stages of proceedings. He appears both in the County Court and the High Court.

## Expertise

### Commercial Dispute Resolution

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Govinder is a commercial litigation specialist.

His commercial experience includes:

- Contractual disputes (including cases where issues of capacity are raised).
- Sale of goods / supply of services in a consumer and business to business context.
- Debt claims and asset recovery.
- Consumer credit.
- Restitution

He is regularly instructed to represent parties in interim applications in commercial disputes including:

- Summary judgement / strike-out.
- Applications to amend statements of case.
- Applications to set aside default judgment.
- Applications to rely upon expert evidence.

#### **Work undertaken or being undertaken by Govinder includes:**

- Successfully obtaining summary judgment on a breach of contract claim where a defence of incapacity was pursued.
- Acting for the defendant in a substantial sale of goods claim in which the goods are alleged to be \_\_\_\_\_

defective.

- Advising a party in relation to a breach of bailment claim concerning the destruction of property.
- Advising a party on the construction of a substantial and informal loan agreement.
- Acting for major lender defendants in unfair relationship claims.

## Insolvency

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Govinder is a specialist insolvency practitioner:

His experience includes:

- Applications for possession and sale.
- Breach of duty claims.
- Bankruptcy/winding-up petitions.
- Applications to set aside statutory demands (for both creditors and debtors).
- Applications to restrain the presentation / notice of a winding up petition.
- Annulment applications.
- Applications under s.279 of the Insolvency Act 1986.
- Applications to extend an administrator's term of office.
- Applications to fix officeholders remuneration.
- Advising on the relationship between bankruptcy and PPI claims.
- Advising on the transaction avoidance provisions and misfeasance claims.
- Advising on the Corporate Insolvency and Governance Act 2020 and accompanying practice direction.

### Work undertaken or being undertaken by Govinder includes:

- Representing the trustees in bankruptcy in *Re Hussain (A Bankrupt)* [2023] EWHC 493 (Ch) (ICC Judge Jones) on a possession and sale application, which involved seeking a declaration that a transfer of equity by the bankrupt to his spouse amounted to a transaction at an undervalue under s.339 of the Insolvency Act 1986.
- Advising a trustee in bankruptcy on a potential claim under s.423 of the Insolvency Act 1986 and consequently, the merits of a possession and sale application.
- Successfully resisting an application to strike out a breach of fiduciary duty / unlawful distribution / debt claim.
- Settling pleadings in a claim which alleged *inter alia* breach of fiduciary duty and fraudulent trading.
- Advising on various limitation issues including s.32 of the Limitation Act 1980 in an insolvency context.
- Advising officeholders on legal advice privilege issues.

### Featured Insolvency cases

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#### **Re Hussain (A Bankrupt) [2023] EWHC 493 (Ch) (ICC Judge Jones):**

Govinder represented the trustee in bankruptcy on an application which, *inter alia* alleged that a transfer of equity by a bankrupt to his spouse was a transaction at an undervalue under s.339 of the Insolvency Act

1986.

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## Education

- Inner Temple Major Exhibition Award
- Liverpool Law Society Proxime Accessit Prize
- Brabners Corporate Governance Prize
- BPTC (Very Competent), BPP University (Manchester)
- LLM International Business (Distinction – Top of Year), Corporate and Finance Law Liverpool John Moores University
- LLB Hons (First Class) Liverpool John Moores University