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KV Krishnaprasad

Barrister
Call 2017

Scope of Practice

• Arbitration • Banking and Financial Services • Civil Fraud and Investigations • Commercial Litigation • Competition • Jurisdiction and Conflict of Laws • Professional Liability • Restitution

Overview

Krishna's practice focusses on large-scale commercial disputes involving complex points of law. He has been instructed to appear in the Court of Appeal and the Supreme Court six times in the last four years and has made oral submissions before the Court of Appeal and the High Court.

Krishna is recognised by the directories as a leading junior in commercial litigation and civil fraud (Legal 500 2024, 2025 and 2026; Chambers and Partners 2026). Clients describe him as *"a future star"*, *"fiercely intelligent"*, *"incredibly hardworking"*, *"calm under pressure"* and *"a delight to work with"*. According to Legal 500, his *"written word is brilliant and his thought process is very clear"*.

Krishna recently appeared in the Supreme Court (led by Lord Pannick KC and Charles Graham KC) for the successful appellant in an appeal which settled the limits of the doctrine of issue estoppel in English law. He had previously appeared in the Supreme Court and the Court of Appeal (led by Lord Pannick KC) in successful appeals on behalf of the Danish tax authority (The Lawyer's Top 10 Appeals of 2022). He also acted at first instance (led by Laurence Rabinowitz KC and Charles Graham KC) in a year-long fraud trial, described as *"the largest and most complicated civil proceedings ever commenced in the Commercial Court"* (The Lawyer's Top 20 Cases of 2021). He is instructed on a six-day appeal in the Court of Appeal arising from these proceedings.

Krishna's other recent instructions include a substantial LCIA arbitration representing a global financial institution in a dispute with a sovereign state (led by Lord Wolfson KC, Andrew Scott KC and Nehali Shah KC), *Credit Suisse Virtuoso SICAV-SIF v Softbank* (led by Sonia Tolaney KC) (The Lawyer's Top 20 Cases of 2025) and a complex jurisdiction challenge in the Commercial Court (led by Anna Boase KC).

Krishna worked as a Judicial Assistant at the Commercial Court from March to July 2019. He assisted the judges with some of the leading cases decided during that period including *Arcelormittal v Essar Steel* [2019] EWHC 724 (Comm) (Jacobs J), *PJSC Tatneft v Bogolyubov* [2019] EWHC 1400 (Comm) (Butcher J), *Saab v Dangate Consulting Ltd* [2019] EWHC 1558 (Comm) (Cockerill J), *Ministry of Defence v International Military Services Ltd* [2019] EWHC 1994 (Comm) (Phillips J) and *Magdeev v Tsvetkov* [2019] EWHC 1557 (Comm) (Picken J).

Before he was called to the Bar, Krishna taught and researched the law of restitution at the University of Oxford. His

work on the subject has been cited with approval by the Court of Appeal and he has published books on the English law of restitution (", Hart 2025) and the Indian law of contract (", OUP 2024).

Krishna is qualified to practise in India and is able to advise on commercial disputes involving Indian law.

Examples of Recent Cases

Arbitration

London Court of International Arbitration

- Acting for a global financial institution in a dispute with a sovereign state (led by Lord Wolfson KC, Andrew Scott KC and Nehali Shah KC).
- Acting (led by Hannah Brown KC) for the claimant in an LCIA Arbitration alleging the breach of a settlement agreement, which raises issues relating to the scope of cause of action estoppel, issue estoppel, merger and abuse of process.
- Assisted Hannah Brown KC in a US$10 million arbitration arising out of an English law SPA to purchase a substantial café chain in Russia.

Swiss Chambers' Arbitration Institution

- Advised (with Hannah Brown KC) on the potential arbitration of a dispute arising from a US$50 million development project in Russia involving issues of fraud, economic duress and frustration.

Banking and Financial Services

- **Credit Suisse Virtuoso SICAV-SIF v Softbank [2025] EWHC 2631 (Ch)**
  Acted (led by Sonia Tolaney KC and Nehali Shah) for the claimant in its claim against SoftBank under s.423 of the Insolvency Act 1986 in respect of transactions entered into by Greensill (The Lawyer's Top 20 cases of 2025).
- **Awbury Technical Solutions LLC v Karson Management (Bermuda) Ltd**
  Acted (led by Orlando Gledhill KC) for the Defendant in a breach of confidence claim between financial structuring boutiques in relation to insured financing for the acquisition of investments in collateralised loan obligations (CLOs). The case settled after exchange of witness statements.
- Acted (unled) in a claim against a leading UK financial services provider and a Spanish resort for the mis-selling of a timeshare product. The claim raised issues relating to 'unfair relationship' under the Consumer Credit Act 1974, fraudulent misrepresentation and authorisation of a credit intermediary under the Financial Services and Markets Act 2000. The case settled following mediation.

Civil Fraud and Investigations

- **Skatteforvaltningen v MCML Ltd [2026] UKSC 19**
  Appeared in the Supreme Court (led by Lord Pannick KC and Charles Graham KC) for the successful appellant. The judgment of the unanimous Supreme Court in this appeal settled the limits of the doctrine of issue estoppel in English law.
- **Skatteforvaltningen v Solo Capital Partners LLP & Ors [2023] UKSC 40; [2022] EWCA Civ 234**
  Krishna appeared (led by Lord Pannick KC) in the Supreme Court and the Court of Appeal in successful appeals against a preliminary trial judgment dismissing the claim as being barred by the common law rule against enforcement of foreign revenue law (The Lawyer's Top 10 Appeals of 2022).

- Skatteforvaltningen v Solo Capital Partners LLP & Ors [2025] EWHC 2364 (Comm)
  Acted (led by Laurence Rabinowitz KC, Charles Graham KC and Jamie Goldsmith KC) for the Danish tax authority in a c.£1.5 billion fraud claim against c.90 defendants. Foxton J described the case as "***perhaps the largest and most complicated civil proceedings ever commenced in the Commercial Court***" (The Lawyer's Top 20 Cases of 2021). Krishna is instructed on a six-day appeal in the Court of Appeal arising from these

proceedings.

Krishna appeared in a number of CMCs and interim applications in this litigation: e.g. [2020] EWHC 377 (Comm) (variation of a proprietary injunction); [2020] EWHC 1624 (Comm) (summary judgment application regarding a tax agent's duty of care to a tax authority); [2020] EWHC 2022 (Comm) (CMC ruling regarding preliminary trials).

He also appeared for the successful claimant in a four-week preliminary issues trial, which featured expert evidence as to Danish tax and securities law, and market practice relating to the trading of intermediated securities: [2023] EWHC 590 (Comm).

- HungryPanda AU Pty Ltd & Ors v Liu & Ors
  Acted (led by Sa'ad Hossain KC and Michelle Menashy) for the Claimant in a claim alleging unlawful means conspiracy, breach of contract and breach of confidence in the context of a dispute between online takeaway businesses.
- Burnford & Ors v Automobile Association Developments Ltd [2022] EWCA Civ 1943
  Acted (led by Stephen Auld KC) in the Court of Appeal in an appeal regarding the application of the reflective loss rule to civil fraud claims. The appeal arose in the context of a c.£40 million claim for fraudulent misrepresentation and breach of contract by the shareholders of a company against an entity in the Automobile Association Group.
- Investigation of the FCA under the Financial Services Act 2012
  Assisted Dame Elizabeth Gloster DBE in her investigation (established pursuant to sections 77 and 78 of the Financial Services Act 2012) into the FCA's regulation of London Capital & Finance, the collapse of which impacted over 11,000 retail investors who had invested over £230m. The investigation raised several issues of regulatory law including the regulation of ISAs, financial promotions, FCA interventions and capital raising through bond issues. The investigation report, ministerial statement and the FCA responses are available here.
- Advised (unled) a construction company on a claim worth £100,000 against insurers who were seeking to avoid the policy based on fraud.
- Advised (with Hannah Brown KC) on the potential arbitration of a dispute (under Swiss Chambers' Arbitration Institution Rules) arising from a US$50 million development project in Russia raising issues of fraud, economic duress and frustration.

Commercial Litigation

- Bugsby Property LLC v LGIM Commercial Ltd [2022] EWHC 2011 (Comm)
  Acted (led by Orlando Gledhill KC and Mehdi Baiou) for an entity in the Legal & General Group defending a c.£350 million claim for the breach of a confidentiality and exclusivity agreement in the context of the Claimant's failed attempt to acquire Olympia London, the iconic exhibition centre. The four-week Commercial Court trial of the claim concerned loss of a chance damages, remoteness, negotiating damages and account of profits. The trial also featured expert evidence regarding the availability of finance for the acquisition of Olympia, the redevelopment prospects of Olympia and the impact of Covid-19 on the redevelopment. Krishna was also instructed to appear in a four-day appeal from the trial judgment, which settled following exchange of skeleton arguments.
- Advised (with Laurence Rabinowitz KC and Michael d'Arcy) on a US$400m claim in the context of a dispute regarding a security trustee's right to indemnity.
- Drafted (with Michael Fealy KC) the Defence to a £5 million claim arising from the termination of a Credit Broking and Outsourcing Operations Service Agreement by a financial institution and its credit broker.
- Assisted Lord Wolfson KC in advising an Irish bank on claims arising in the context of a £29 million facility agreement involving allegations of economic duress and breach of the Conduct of Business Sourcebook rules.
- Advised (with Laurence Emmett) a Caribbean national bank on claims arising in the context of a promissory note issued to secure a loan worth around £50 million including against a Caribbean government and central bank.
- Advised (unled) on whether a put-option in an English law governed shareholders' agreement in the context of a diamond certification business had been frustrated by Indian regulatory restrictions.
- Advised (unled) on a US$500,000 claim arising from a dispute between a Chinese manufacturer and an English wholesaler raising issues of contractual construction and restitution.

Employment

- Acted (unled) for Ocado in successfully resisting an unfair dismissal claim alleging procedural irregularity in the termination of employment, disparate treatment and sex discrimination.

Injunctions

- **Skatteforvaltningen v Barac [2020] EWHC 377 (Comm)**
  Acted (led by Jamie Goldsmith KC) for the Danish tax authority in resisting an application for the variation of a proprietary injunction.

Jurisdiction and Conflict of Laws

- **Skatteforvaltningen v Solo Capital Partners LLP & Ors [2023] UKSC 40; [2022] EWCA Civ 234**
  Acted (led by Lord Pannick KC) in the Supreme Court and the Court of Appeal in successfully appealing a preliminary trial judgment dismissing claims by the Danish tax authority as being barred by the common law rule against enforcement of foreign revenue law (The Lawyer's Top 10 Appeals of 2022).

Professional Liability

- **Skatteforvaltningen v Solo Capital Partners LLP & Ors [2020] EWHC 1624 (Comm)**
  Acted (led by Jamie Goldsmith KC) for the Danish tax authority successfully resisting a summary judgment application that raised issues relating to the duty of care owed by a tax reclaim agent to a tax authority.
- Acted (with Jamie Goldsmith KC) in advising a leading firm of auditors on a claim raising a novel point of law, namely whether, and if so to what extent, an auditor should be liable for the consequences of identifying a fraud (as opposed to failing to identify a fraud) by the client.
- Settled (with Sebastian Isaac) the particulars of claim for two related actions against a City solicitors' firm for negligence and breach of retainer.

Restitution

- Advised (with Steven Elliott KC) a leading provider of gaming services on a c.£23 million claim seeking restitution of contractual payments in respect of VAT liability that was found to have been unlawful under EU law after the payments were made.
- Advised (unled) on a US$500,000 claim for the value of goods supplied by a Chinese manufacturer to an English wholesaler raising, among other issues, the possibility of a restitution claim based on free acceptance.

Advocacy

- Krishna has made oral submissions before the Court of Appeal and the High Court, and has acted as sole counsel in the High Court, the Employment Tribunal and in various County Courts.

What the Directories Say

Chambers and Partners 2026 (Fraud: Civil) *"KV Krishnaprasad is incredibly able and a pleasure to work with; he is a future star."*

Legal 500 2025 (Commercial Litigation) "*Excellent communicator, great attention to detail, personable, and strategic-orientated."*

Legal 500 2025 (Fraud: Civil) *"A real talent with a bright future ahead of him."*

Legal 500 2024 (Commercial Litigation) *"Krishna is fiercely intelligent, incredibly hardworking, and calm under pressure. He is a delight to work with."*

Legal 500 2024 (Fraud: Civil) *"Absolutely great. His written word is brilliant and his thought process is very clear."*

Education

- **University of Oxford (Exeter College)**
  Doctor of Philosophy in Law [2014-2019]
  Master of Philosophy in Law (Distinction) [2013-14]
  Bachelor of Civil Law (Distinction) (Conflict of Laws, Restitution of Unjust Enrichment, Commercial Remedies, International Law and Armed Conflicts) [2012-13]
- **National Law School of India University, Bangalore, India**
  BA, LLB (Hons) (first in year, thirteen University prizes) [2007-2012]
- **The Hague Academy of International Law**
  Summer course on Private International Law. Directed Studies with Professor Brigitta Lurger (University of Graz, Austria) [2014]

Academic Achievements

- Clarendon Scholarship [2012-13]
- Bodh Raj Scholarship, Exeter College, University of Oxford [2012-2013]
- Mrs Ambriti Salve Scholarship, Exeter College, University of Oxford [2012-2017]
- Thirteen University Prizes from the National Law School of India University, Bangalore including nine subject prizes

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Previous Experience

- Called to the Bar in India [2013]
- Graduate Teaching Assistant, University of Oxford (offered Restitution tutorials for BCL Candidates) [2014-2017]
- General Editor, Oxford University Commonwealth Law Journal [2015-2016]

Selected Publications

- *Unjust Enrichment and Countervailing Obligations* (Hart 2025).
- *Foundations of Indian Contract Law* (OUP 2024).
- 'Unjust Enrichment in the "Fairchild Enclave": International Energy Group Ltd v Zurich Insurance plc' (2017) 80 Modern Law Review 1150 (cited with approval by the Court of Appeal in *Equitas Insurance Ltd v Municipal Mutual Insurance Ltd* [2019] EWCA Civ 718).
- 'Fraud, Misrepresentation and Mistake in Indian Contract Law' in Chen-Wishart, Vogenauer and Sono (eds), *Studies in the Contract Laws of Asia* (OUP, 2022).
- 'Pepper v Hart: Its Continuing Implications in the United Kingdom and in India' (2011) 32 Statute Law Review 227.

Awards

Chambers TOP RANKED UK Bar 2026 One Essex Court

LEADING JUNIOR Legal500 UNITED KINGDOM 2026

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