



# **FORTIS INDIA LAW**

*Advocates and Consultants*

## **THE FIRM**

Fortis India Law is a boutique law firm established in 2013 with a team of 20 young and aspiring lawyers, providing legal services to leading Indian and multinational companies including Banks and Financial Institutions, Corporate Insolvency Resolution Firms/Resolution Professionals, Real Estate Companies, Government Companies, Unicorns, aspiring start-ups etc. The firm was established by Rubina Khan, Advocate who has wide experience and knowledge in the areas of insolvency and bankruptcy, securitization and asset reconstruction, real estate, general corporate transactions and advisory, commercial litigation and arbitration. The firm has been successful in providing advisory services and catering to its client requirements in the areas of due diligence, structuring, acquisition, general corporate, documentation, recovery and resolution of non-performing assets etc. The firm is also catering to the litigation and dispute resolution requirements of its clients by strategizing and representing its clients before various courts and tribunals including Supreme Court, High Courts, National Company Law Tribunals, Debt Recovery Tribunals, Civil Courts, Magistrate Courts, Maha RERA etc to serve the best interests of the clients.

The firm has its office at Mumbai and is associated with other boutique law firms and distinguished lawyers in India including Counsel, and advocates on record in Supreme Court ensuring seamless experience while dealing with matters in different jurisdictions. The firm specializes in laws relating to:

- Real Estate Advisory and Transactions (acquisition/financing/redevelopment etc)
- Banking & Finance Industry
- Corporate advisory & Transaction
- Securitisation & Asset Reconstruction
- Structuring & Restructuring
- Insolvency & Bankruptcy
- Legal & Property Due Diligences
- Capital Market & Securities Law
- Labour Laws
- Litigation & dispute resolution

## **REAL ESTATE**

At Fortis India Law, our Real Estate Practice offers comprehensive legal support across the property transaction lifecycle — from initial due diligence to final execution. One of our core specialization lies in conducting Title Search Reports, where we combine deep legal expertise with on-ground operational capabilities to deliver clear, risk-mitigated outcomes for our clients.

- Title Search and Property Due Diligence



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We have extensive experience in preparing Title Search Reports for a variety of real estate transactions, including:

- Purchase and sale of land parcels (agricultural, industrial, residential, commercial)
- Leasing of built-up spaces and land
- Mortgage and securitization transactions
- Real estate financing
- Joint development agreements
- Infrastructure and renewable energy projects

Our approach ensures a meticulous examination of ownership records over a 30-year period (or as required), tracing the root of title and identifying potential encumbrances, restrictions, litigation, or statutory non-compliances.

- Liaising with Government Departments

A key differentiator in our practice is our robust experience in engaging with various governmental and quasi-governmental authorities, including but not limited to:

- Revenue Departments for Record of Rights (RoR), 7/12 extracts and land mutation entries
- Sub-Registrar Offices for Encumbrance Certificates (EC), certified copies of sale deeds, wills, power of attorneys, and registered documents
- Municipal Corporations and Development Authorities for zoning certificates, building approvals, and property tax records
- Tehsildar/Talathi offices for site-level verification of land classification and possession status
- Forest Department, Environment Boards, and Industrial Development Authorities wherever applicable

Our team has cultivated on-ground networks and procedural know-how to efficiently procure and authenticate documents, even in jurisdictions with complex land record systems or legacy issues.

- Risk Identification and Advisory

The title search process and verification of title documents, culminates in a comprehensive due diligence report that identifies:

- Chain of title and any break in ownership
- Restrictions under local land laws (e.g., ceiling limits, tribal land restrictions)
- Statutory non-compliances (e.g., conversion status, NOCs)
- Potential risks under urban planning norms

We also provide risk mitigation strategies, including curative steps, indemnities, and structuring advice in collaboration with client stakeholders, technical consultants, and financial institutions.

## **BANKING AND FINANCE**

Located in India's financial capital, our firm has a deep-rooted practice in banking and finance law, advising leading public and private sector banks, NBFCs, fintech companies, and



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corporate borrowers. We provide end-to-end legal support on term loans, working capital facilities, external commercial borrowings (ECBs), project finance, asset finance, and trade finance. Our lawyers are adept at drafting and negotiating facility agreements, security documents, inter-creditor arrangements, escrow mechanisms, and trustee documentation. We also regularly advise on regulatory compliance under RBI guidelines, FEMA, and the Banking Regulation Act. Our transactional experience spans sectors such as infrastructure, real estate, healthcare, manufacturing, and renewable energy.

### **CORPORATE ADVISORY AND TRANSACTIONS**

Our corporate law team in Mumbai serves a diverse clientele ranging from family-owned businesses to listed companies and multinational corporations. We provide strategic legal advice across the business lifecycle, including company formation, shareholder agreements, joint ventures, mergers & acquisitions, corporate governance, and compliance with the Companies Act, 2013. Our firm is known for its commercially pragmatic approach and our ability to partner with clients through complex business transformations and negotiations.

### **STRUCTURING AND RESTRUCTURING**

We advise promoters, companies, funds, and institutional investors on optimal legal and tax-efficient structures for new and existing businesses. Our structuring practice includes advice on holding structures, family office setups, inter-company arrangements, employee stock options, and cross-border transactions. On the restructuring side, we represent clients in mergers, demergers, slump sales, hive-offs, and capital reorganisations. Our firm has also supported distressed companies in restructuring their operations and liabilities through schemes of arrangement under the Companies Act or via the pre-IBC frameworks. Our understanding of commercial, regulatory, and tax implications enables us to deliver holistic solutions.

### **LEGAL AND PROPERTY DUE DILIGENCE**

We have a robust due diligence practice supporting M&A, real estate transactions, lending deals, and private equity investments. For property transactions in Maharashtra, we conduct title verification, search reports, encumbrance checks, mutation history, and stamp duty assessments in coordination with the Sub-Registrar's offices, revenue departments, and municipal bodies such as BMC and CIDCO. We also assist with vetting agreements, obtaining property-related permissions, and ensuring compliance with RERA. Our legal diligence reports are tailored to the needs of clients including developers, lenders, investors, and acquirers, highlighting risks and actionable mitigations.

### **INSOLVENCY AND BANKRUPTCY**

Our IBC practice is centered in Mumbai, where the NCLT bench plays a crucial role in India's insolvency landscape. We represent financial creditors, operational creditors, corporate debtors, resolution professionals, and CoCs across the lifecycle of insolvency proceedings. From initiating CIRPs to drafting resolution plans, filing claims, participating in CoC deliberations, or contesting liquidation proceedings, we bring strategic clarity and timely execution. We have successfully handled complex insolvency matters in real estate, steel, textile, hospitality, and NBFC sectors. Our team also works closely with forensic auditors and financial advisors to support pre-litigation strategy and value maximization. The Firm



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specializes in advising and assisting in implementing restructuring through the formal court or tribunal process, including the formulation of strategies in line with the prevalent legal, regulatory and policy framework, preparation of schemes, and legal representation in courts and tribunals.

### **SECURITISATION AND ASSET RECONSTRUCTION**

Mumbai, being home to most of India's banks and ARCs, provides the perfect base for our securitisation and asset reconstruction practice. We have advised leading banks, ARCs, and investors in structuring and executing transactions involving securitisation of receivables, direct assignment of loan portfolios, and issuance of pass-through certificates (PTCs). We offer expertise in drafting transaction documents including trust deeds, servicing agreements, assignment agreements, and investor disclosures. Our firm also supports ARCs in acquisition of non-performing assets (NPAs), structuring of security receipts, enforcement actions under the SARFAESI Act, and representation before DRTs and NCLTs. Advice and assistance in enforcing and implementing security mechanisms available to lenders under the legal, regulatory and policy framework, including the Recovery of Debts and Bankruptcy Act, 1993, the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and the Insolvency and Bankruptcy Code, 2016.

### **LITIGATION AND DISPUTE RESOLUTION**

With representation before Bombay High Court, NCLT, DRT, City Civil Courts, Magistrate Courts, and various tribunals, our litigation team provides strategic dispute management across commercial, civil, regulatory, and real estate matters. We handle shareholder disputes, contract enforcement, recovery suits, cheque bounce cases, white-collar crime, arbitration, and public interest litigation. We also offer pre-litigation advisory and mediation services to help clients resolve disputes out of court wherever possible. Our approach combines deep legal expertise with a keen understanding of business sensitivities and reputational considerations. The Firm has wide experience in advising and assisting in formulating and structuring strategies for litigation and dispute resolution, representing clients before various courts, tribunals and judicial and quasi-judicial authorities.

The Firm endeavors to provide:

- comprehensive cost effective support to clients in consummating legal processes;
- advising them on the appropriate legal strategy with constructive solutions to achieve their goals efficiently; and
- providing prompt and specialized professional services to clients by giving personal attention and expertise at all times.

### **FOUNDER**

Rubina Khan established the firm in the year 2013. She has 15 years of experience in legal field. Her primary areas of focus are corporate transactions, real estate, insolvency and bankruptcy laws, recovery laws including SARFAESI and DRT, commercial litigation, arbitration and white-collar crime. Her experience includes conducting commercial and legal due diligence and advising on viability of acquisition of assets by banks and financial institutions.



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Rubina has represented clients before various Courts, State Regulators, Tribunals, High Courts and the Supreme Court of India. She has represented Indian and multinational clients in intricate corporate and commercial disputes before various courts and tribunals in India. A substantial part of her practice is providing opinions and assisting and representing clients in the insolvency and liquidation proceedings before the National Company Law Tribunal including structuring of viable resolution plans for turning around the stressed companies into performing ones. Her area of expertise also includes practicing recovery laws before the Debt Recovery Tribunals and High Courts.

Having graduated from the Government Law College, Mumbai in 2008, Rubina joined Kotak Mahindra Bank where she focused on gaining experience in conducting due diligence and flagging risks while acquiring stressed corporate loans from other banks and financial institutions. In 2009, when Phoenix Asset Reconstruction Company Private Limited (promoted by Kotak Group) succeeded in procuring RBI license for carrying out ARC business, Rubina shifted to Phoenix ARC as one of the core team member and assisted the management and legal head in acquisition, resolution and restructuring of sticky corporate loans. In 2012, Rubina joined IndusInd Bank Limited where she led and mentored the resolution team and strategized for unlocking and recovery of bank money from large corporate groups.

Rubina holds LL.M (Business Laws) from University of Mumbai. She is a member of Bar Council of Maharashtra and Goa. Rubina is a regular speaker on Real Estate, Insolvency and Bankruptcy laws and importance of court craft in litigation before various fora including the Institute of Chartered Accountants of India.