

Mandar Arun Deshmukh

Advocate

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OBJECTIVE: To work in an environment where I can apply my skills which will be beneficial for the company as well as for me.

DATE OF BIRTH:

9th May 1980

AT PRESENT:

At present working with an organization (Poonawalla Fincorp Ltd.) (Previously none as Magma Fincorp) is a Pune based Non- Banking Financial Company registered with RBI as an Asset Finance Company with registered office in Kolkata. I am working as Assistant Legal Manager at Aurangabad from last more than eight month. In the present organization I have had so many products to deal with it or on which the company was running business activity e.g. Business Loan, Profession Loan, Vehicle Loan, Personal Loan, Home Loan, Loan against the property, Pre-Owned Car Loan, Medical Equipment Loan, Auto Lease and Insurance. In case breach any terms, condition of an agreement, as per direction by the concern legal superior authority of the company, I have had dealt with cases for initiated legal activity such as under SARFESI, Arbitration Act, Civil Court Act, Criminal Procedure Code, Indian Penal Code then cases before the Consumer Forum under Consumer protection Act as well as summary suits or recovery proceeding before the Civil Court. So also taking follow up of these cases with the co-ordination of concern panel advocate before the High Court, DRT Court , District Court as well as in Consumer Court as and when proceedings has been initiated, in appeal and in other proceeding whenever be taken place.

(SAFL) – Sustainable-Agro Commercial Finance Ltd., as Senior Executive – Legal at Aurangabad. The SAFL company is a NBFC promoted by Jain Irrigation System Ltd (JISL) and is the first sector providing Agricultural Loan with a wide & diverse range of financing options for almost every need of Agricultural activity. The company deals with loans such as Finance for Lift Irrigaion, Agricultural – Project Financing, Farm Equipment Financing, Dairy / Cattle Financing, Solar Product Financing, Short Term Loan for Business, Short Term Crop Loan, Loan against property, Financing Small Commercial Finance, Financing Tourist Car, and Third party tie up. In case violation of these loan transactions towards payments by the customers of mentioned above products of the company as per instructions of superior authority I have had working with legal action like 138 N. I. Act. So also with the Criminal and civil proceeding like 156 (3) as well as 420 private complaint under CRPC and Arbitration proceeding U/Sec. 09, 34, and 36 of Arbitration Act, then cases before the Consumer Forum under Consumer protection Act as well as summary suits or recovery proceeding before the Civil Court. To take a follow up of the cases before the High Court, if any in appeal by the customers or company suo-moto have had approached as such.

At present, I was mostly handling the work with support of this Legal tools above mentioned and based on this prepare a documentation and record given by the company. Most I have had work with

proceeding of 138 N. I. Act to give notices then issue summons and warrants to the defaulter customer then taken follow up of report by police authority and then preparation and filling of evidence before the court. I have had to take follow up in case of appeal by the customer or company before the High Court with preliminary discussion with our panel advocates. So also taking follow up with concern advocate and providing documents for preparation of private complaints like 156 (3) as well as 420 private complaint under CRPC. Before filing complaint to check the balance confirmation details of accounts record then send a notice to the customer and then make a positive negotiation with customers for sum up the case pending or dealing with the case in Lok-Adalat.

As per instructions and directions of my superiors in most of the small term defaulters' cases, I could have visited to police stations for filling criminal complaint recently. After this some customers are likely to the whole debt of there. While doing so I have put my extreme efforts with recovery team for better collection of loan amount of defaulter through settlement camp conducted by the company. Not only for the company but have put my all efforts to settle the cases through mediation in Lok-adalat cases for every customer who is likely to do the settlement as such. In fact, after filling criminal proceeding 35% customers in which customer who had agreed to make positive settlement. And In case of short-term loan amount, I could have visited recently to the customers to their native places to deal the loan amount for negotiation and wherein I was succeeded to get a settlement of 50% cases at my own level. The same negotiation deal I was carried in some big cases wherein, I was succeeded 15% cases.

The same work profile, I have had carried in earlier organization i.e. Shriram Transport Finance Co. Pvt. Ltd., as Law Officer at Aurangabad for last one year. I was having working experience as Retainer Advocate at Zonal Office at Aurangabad lastly. While working with Shriram Transport Finance Co. Ltd and my job profile was to look into the recovery filling proceeding U/Sec. 09, 34, and 36 of Arbitration Act, so also I was looking into the 138 N. I. Act proceeding and criminal and civil cases. In case of short term loan amount I have had visited to the customers to their native places to deal the loan amount for negotiation and I was succeeded to get a settlement of 40% cases at my own level. The same I was carried in some big deal cases wherein I was succeeded 25% cases.

Before joining an organization, I have had practiced in Hon'ble High Court, District Court and Subordinate Tribunal (i.e. before Divisional Commissioner and Collector also appeared before School Tribunal, University Tribunal also having an experience in practicing before State and District Consumer Forum) including Debt Recovery Tribunal and Maharashtra Administrative Tribunal at Aurangabad.

FUNCTIONAL AREAS AND EXPOSURE

Civil:- Having experience of matters is related to Motor Accident Claims, Arbitration cases, Consumer cases, Land Revenue Cases, Maharashtra Administrative Tribunal, Bank Recovery matters by way suits and recovery proceeding under co-operative society act and property relating to search including civil cases before District Court and before revenue authorities in respect of mutation entries, disqualification matters etc.

Consumer Forum:- Conducted complaints, appeal before the State Consumer Forum and before District Consumer Forum authorities established under Consumer Protection Act.

Drafting & Conveyance:- Have experience in drafting and finalizing various documents such as Development Agreement, Power of Attorney, Mortgage Deeds, Leave and License Agreements, Agreement to Sale, Sale Deeds, Lease Deed, Memorandum of Understanding, Distributors Agreement etc.

Search & Title:- Conducted various Search & Title Investigation required for creation of various Mortgages.

EXPERIENCE :

- More than Fifteen years experience as an advocate in handling civil and criminal matters before the High court and various subordinate courts.
- I was having working experience in Shriram Transport Finance Co. as a Retainer Advocate cum Law Officer, so also I have had practicing experience from 2004 to 2018 in High Court independently and also dealing case before District Court and Subordinate Tribunal (i.e. before Commissioner and Collector) also appeared before University Tribunal and also having an experience in practicing before State and District Consumer Forum) including Debt Recovery Tribunal and Maharashtra Administrative Tribunal at Aurangabad
- I have had an experience to dealing cases under organization with my Senior Advocate who is leading practitioner in High Court at Aurangabad of these cases e.g. IIISLA (Indian institute of insurance surveyors and loss assessors) and also dealt with case of Pre-conception and Pre-natal Diagnostic Techniques prohibition of sex selection act, 1994 i.e. (PCPNDT), cases under Bombay Public Trust Act, Maharashtra Co-operative societies act 1960, with the support of Senior and it's empanelment on respective institution has got experience to deal with cases of this institution e.g. Dr. Babasaheb Ambedkar Marathwada University, Zilla Parishad – Parbhani, M.P.S.E., M.T.D.C., Beed Municipal Counsel and Kopargaon Nagar Parishad matters before the High Court.

WORK PROFILE:

- Dealing with the cases under Writ Jurisdiction including Service Matters, Disputes relating all types of civil and criminal nature, cases relating before Motor Accident Claims by way of First Appeals, Land Revenue Cases, Debt Recovery Tribunal, Bank Recovery matters and property relating to search including civil cases before revenue authorities in respect of mutation entries, disqualification etc. Maharashtra Land Revenue Act and other proceedings.
- Assisting senior advocate in handling public interest litigation and the appeal under Land Acquisition Act for enhancement and service matters before the High Court and the tribunals.
- Dealing with civil and criminal cases under Writ jurisdiction before High Court and also to have an experience of cases before District Court and sub-ordinate tribunal including before Motor Accident Claim and before State and District Consumer Cases with the claim proceeding under Motor Accident Claim and before Labour and Industrial Tribunal including bank relating proceedings.

ACCOMPLISHMENT AND AWARDS:

- Successfully dealt with the proceeding under civil and criminal matters and also trying to deal with cases under the motor accident claim and including cases under Maharashtra Revenue matters.

- Successfully carried out procedural work regarding cases relating to civil and criminal in nature also dealt with the cases of dispute relating service matter before MAT Tribunal and dealing experience of cases before Labour and Industrial Tribunal including cases before School and University tribunal.

EDUCATION:

- Completed Master in Law [LL M.] in February 2008 from Vivekananda Science and Arts College under Dr. Babasaheb Ambedkar Marathwada University, Aurangabad.
- Graduated as Bachelor in Law [LL B.] in November 2003 from M. P. Law College under Dr. Babasaheb Ambedkar Marathwada University, Aurangabad.
- Degree in Bachelor of Social Legislature [B.S.L.] in March – 2001 from M. P. Law College under Dr. Babasaheb Ambedkar Marathwada University, Aurangabad

LANGUAGES:

Marathi (Mother Tongue), Hindi, English,

COMPUTER LITERACY:

MS - Office, MSCIT.

Mandar A. Deshmukh

Advocate