

## Muhammad Umer Imtiaz

YEAR OF CALL: 2017



### Practice Overview

Muhammad has extensive experience in Chancery, Commercial and Corporate Law.

Muhammad is recognised by his clients as a reliable advocate who is willing to fight for his clients with a highly commercial approach to problem-solving. His strength lies in his attention to detail, and thoroughness with which he approaches cases, and being able to look at the bigger picture at the same time to achieve satisfactory outcomes. Muhammad is commercially savvy and sensible and often able to get straight to the heart of the case and make the right decisions at the right time for his clients.

Muhammad is Public Access accredited and authorised to conduct litigation.

### Practice Areas

Muhammad is highly adept at handling a wide range of civil and commercial disputes, as well as providing commercially sensible advice to corporate clients.

### Bankruptcy and Insolvency

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- Challenging statutory demands
- An injunction to restrain the advertisement of winding up petition.
- Winding up and Bankruptcy petition
- Validation orders
- Annulments
- Insolvency administration order
- Suspension from discharge and bankruptcy restrictions orders

### Commercial Litigation and Company Law

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- Commercial contract disputes
- Commercial fraud
- Injunctions
- Partnership disputes
- Breach of fiduciary and directors' duties
- Shareholder disputes
- 994 Petitions (under the Companies Act 2006)
- Breach of warranty disputes
- Negligence Claims
- Jurisdiction and conflict of law issues
- Restoration of companies to the register
- Asset Tracing and recovery
- Worldwide Freezing injunctions
- Corporate insolvency – winding up, administration, CVA, receivership

### Property Law

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- Adverse possession
- Boundary Disputes
- Construction disputes
- Landlord and Tenant (Commercial and Residential dispute)
- Possession proceedings
- Professional negligence (including architects, designers, engineers, M&E and project managers)

- Payment and final account claims
- Advice and disputes under the common-form contract suites (e.g., JCT, NEC IMechE, RIBA, FIDIC)

## Trust, Will and Estate

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- The scope of trustees' powers and duties
- Construction and rectification of trust documents
- Probate disputes, including issues of construction and rectification of wills and testamentary capacity
- Administration of estates, including cross-border issues
- Claims under the Inheritance (Provision for Family and Dependents) Act 1975
- International trust and estate disputes, including conflicts of law issues

## Defamation

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- Malicious falsehood
- Breach of confidence/ privacy
- Data protection (including data breach and group litigation)
- Harassment

## Recent Cases

- **Karim v Daiz** – A complex possession claim where Muhammad was instructed by the Claimant in the Court of Appeal, where the judgment raised important questions concerning the discretion of the trial judge.
- **Mr Iain English v Amicus Finance Limited** – A very intricate multi-jurisdiction and multi-billion corporate structure, Muhammad successfully appeared for Applicant to set aside 9.45 million Statutory Demand Notice.
- **Kerrigan and another v MacCourt** – A Complex £10 million mortgage possession claim, Muhammad appeared on behalf of Defendant.
- **M. A. B. Ltd v Moncriffe** – Muhammad represented the Claimant in a defamation claim.
- **Larholt v D. H. AG** – In a complex multimillion insolvency claim, Muhammad appeared on behalf of the Respondent in the injunction application.
- **G. L. Ltd v A. T. W. Ltd** – Muhammad represented the Company in an insolvency petition.
- **Fairclough and another v Stimpson** – Muhammad appeared on behalf of Applicant and successfully set-aside European Enforcement Order.
- **Spenser v Bank of Scotland PLC** – Muhammad was instructed by the Applicant in an injunction application concerning the suspension of account on the complaint of other directors of the company.
- **A. A. Ltd** – Muhammad was instructed to draft Share Purchase Agreement (pro buyer) and advise on the same.
- **Irum v Pervez** – Muhammad was instructed to provide an opinion on the polygamous spouse (s) and s.1 of the Inheritance (Provision for Family and Dependents) Act 1975 (Inheritance Act 1975).

### What Muhammad's Clients Say

*"We would like to thank you (barrister Mohammad) for what you have done for us and achieved for our case. Since you became involved and though your accurate advice and support, our case – that was stagnant before your involvement – picked up impetus and you alone directed the litigation and carried out ALL the work. We are both truly thankful."*

Susanne M

## Direct Access & Conducting Litigation

Muhammad is authorised to litigate and take instructions from the public directly without involving solicitors.

## Memberships

Chancery Bar Association.

## Languages

English, Urdu.