



RUHI SETHI-SMITH

CALL - 2012

“Robust, personable and client friendly, with high levels of attention to detail.”

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Ruhi has a broad commercial litigation practice which includes a wide range of commercial disputes, banking and financial services litigation, insolvency and property litigation.

Ruhi is a robust and meticulous advocate who regularly appears in the County Court, High Court and Court of Appeal.

Ruhi also has experience of obtaining and resisting urgent injunctions in the High Court.

Prior to transferring to the commercial bar, Ruhi worked for a number of well-respected City law firms where she earned a reputation as an effective and strategic litigator who leaves no stone unturned for clients. During this time, she also obtained Higher Rights of Audience and appeared as a solicitor advocate on numerous High Court and County Court applications.

AREAS OF EXPERTISE

BANKING

Recent Notable Cases:

- Acting for the victim of a sophisticated APP fraud in which the fraudsters defrauded her of £3.8 million
- Acting for a large national bank in defending claims for undisclosed PPI commissions
- Obtaining Norwich Pharmacal orders against banks following APP frauds on customer accounts
- Assisting on claims against Lloyds Banking Group related to the Impaired Assets Office of BOS/ HBOS at Reading and elsewhere
- Assisting in advising and representing claimants in swaps cases where they have been mis-sold swaps and interest rate hedging products
- Advising a consumer in relation on a claim for breach of statutory duties resulting from losses

sustained in CFD trading in forex and cryptocurrency

- Advising and representing individuals in mortgage mis-selling claims

COMMERCIAL LITIGATION

Recent Notable Cases:

- Representing a professional football club in a breach of contract claim for £350k which resulted in a successful order for security for costs and eventually the claim being struck out
- Representing a global travel company in a claim for £750k in relation to the interpretation of force majeure clauses in an accommodation supplier agreement which also involved a successful relief from sanction application
- Representing a cryptocurrency platform provider in a claim brought by a victim of a BitTrust fraud against a number of cryptocurrency exchanges for damages for unlawful means conspiracy and fraudulent misrepresentation valued at £1.5 million
- Defending a company in a breach of contract claim worth £100k involving an application for summary judgment and/or strike-out
- Acting for a partner in a dispute over the dissolution of the partnership and the sale of the partnership asset which resulted in a favourable settlement for the partner
- Pursuing guarantee claims on behalf of a national platform lender involving numerous applications for summary judgment and/or strike-out
- Defending a claim for ownership of an aeroplane used for a solo round the world flight and breach of contract worth approximately £200k, defending the claim on the basis of wrongful interference pursuant to the Torts (Interference with Goods) Act 1977

INJUNCTIONS

Recent Notable Cases:

- Acting for Joint Liquidators in obtaining a worldwide freezing order in respect of company assets located in multiple locations in Europe
- Obtaining numerous Norwich Pharmacal against numerous banks in respect of customer fraud and mistaken payments
- Acting for company directors on injunctions to restrain presentation of winding up petitions

INSOLVENCY

Recent Notable Cases:

- Advising and representing joint administrators and the fixed charge receiver on an application under section 71 of Schedule B1 to the Insolvency Act 1986 to allow the sale of a large block of luxury residential flats where there are over 100 equitable lien holders.
- Re Butler Do Limited [2024] EWHC 1291 (Ch): representing joint liquidators in an application for their retrospective appointment pursuant to section 108 (1) of the Insolvency Act 1986 following

the restoration of the company in order to deal with a £7m claim issued by HMRC. ICC Judge Baister confirmed that section 108 (1) could and should be used to appoint joint liquidators retrospectively in circumstances where there are incurable defects in the appointment as has regularly been done for administrators.

- Successfully representing numerous liquidators in applications for their remuneration where this has not been agreed by creditors and most recently a remuneration application which has been made to the Court out of time.
- Representing administrators in applications for the extension of administrations in a variety of circumstances.
- Representing trustees in bankruptcy in applications to suspend discharge from bankruptcy, applications for possession and sale of property in bankruptcies.
- Representing directors of liquidated companies in applications pursuant to section 216 of the Insolvency Act 1986.
- Acting for court appointed receivers in proceedings to recover assets following confiscation proceedings under POCA 2002.

PROFESSIONAL NEGLIGENCE

Recent Notable Cases:

- Pursuing solicitors in a professional negligence claim relating to the handling of a breach of contract and quantum meruit claim in the sum of £700k
- Defending solicitors in a professional negligence claim relating to the drafting of a share purchase agreement
- Successfully pursuing a solicitor for his role in a high-profile tax avoidance scheme
- Representing a project management company in a negligence claim involving multiple parties
- Advising company directors in relation to a professional negligence claim against its auditors for the negligent preparation of company accounts

QUALIFICATIONS

- BA (Hons) Law and Society University of Exeter
- Legal Practice Course UWE Bristol
- Higher Rights of Audience Qualification The College of Law

PROFESSIONAL BODIES

- Combar