



Ratha Govindasamy
Partner

Contact Details

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Ratha is a partner in the firm's Banking and Finance Litigation practice. She has considerable experience acting for banks in debt recovery actions of Islamic and Conventional facilities as well as foreclosure proceedings and bankruptcy actions against debtors. She has conducted interlocutory proceedings, trials, appeals and applications at all levels of the Malaysian Courts.

Key Practice Areas

Banking and Finance Litigation
Recovery of Islamic and Conventional Facilities
General Litigation
Personal Bankruptcy

Selected Experience

Banking and Finance Litigation

- ❖ Acted for a bank in a loan recovery action against a private limited company in respect of an Islamic financing facility amounting to RM114 million.
- ❖ Acted for a bank in an Islamic Financing Facility recovery action against a company amounting to RM23 million.

General Litigation

- ❖ Acted for a US based company in respect of a claim amounting to RM12 million.
- ❖ Acted for developers to resist LAD claims.

Advisory

- ❖ Advised clients on various aspects relating to Islamic and Conventional Finance and documents.
- ❖ Advised banks and companies on restructuring.

Reported Cases

- ❖ Acted in the case of *Bank Pertanian Malaysia Berhad v. Maple Amalgamated Sdn Bhd & Anor [2017] 1 LNS 1687* which involved a summary judgment application against the borrower

company.

- ❖ Acted in the case of *Bank Pertanian Malaysia Berhad v. Stock Harvest Sdn Bhd [2019] 1 LNS 824* which involved an application by the chargee bank to remove a private caveat lodged over the land, which was the subject matter of a charge registered in the bank's interest.
- ❖ Acted in the case of *Bank Pertanian Malaysia Berhad v. Maple Amalgamated Sdn Bhd; Stock Harvest Sdn. Bhd. (Intervener) [2019] 1 LNS 857* which involved resisting an application to intervene by an intervener.
- ❖ Acted in the case of *Score Option Sdn. Bhd. v. Glomac Alliance Sdn. Bhd. [2018] 1 LNS 619* which involved a striking out application on the ground of no *locus standi* to continue with action, since the consent given by the liquidator to the plaintiff wound-up company had been withdrawn. The decision of the High Court in Kuala Lumpur which dismissed the striking out application had been overturned by the Court of Appeal.
- ❖ Acted in the case of *CIMB Bank Berhad v, Zetavest Sdn. Bhd. & Ors [2010] 1 LNS 1832* which involved a summary judgment application against a principal borrower and its two guarantors.

Qualifications

Qualifications:

Advocate and Solicitor, High Court of Malaya (2007)
LLB (Hons), University of Malaya (2007)

Accolades

- Asia 40 Under 40 2021 – Asian Legal Business