



ROHAN ARASOO A/L JEYABALAH
Partner

Rohan graduated from the University of Northumbria in 2004. He commenced his pupillage in October, 2005 after obtaining his Certificate of Legal Practice. He was called to the Malaysian Bar in July, 2006. Rohan joined Messrs Harold & Lam Partnership as a Partner in November, 2015.

Rohan has appeared as counsel and co-counsel at all tiers of the Malaysian courts and in arbitrations. He has also acted as counsel in adjudication disputes under the Construction Industry Payment & Adjudication Act (CIPAA) 2012.

Besides, Rohan is a qualified adjudicator in respect of adjudication disputes under CIPAA 2012 and is on the panel of adjudicators of the Asian International Arbitration Centre (AIAC).

Rohan is also an Advocacy Trainer with the Advocacy Training Committee of the Bar Council and is a member of the Disciplinary Committee Panel of the Advocates & Solicitors Disciplinary Board.

ROHAN'S AREAS OF PRACTICE

Rohan's core areas of practice are construction & engineering and employment & industrial relations. His other areas of practice include amongst others, civil and commercial dispute resolution involving various facets of the law such as contractual disputes, land disputes, tortious disputes, banking & financial disputes, defamation and general debt recovery.

Besides dispute resolution, Rohan also has experience in providing advisory services in respect of employment contracts, construction & engineering contracts and commercial contracts. In addition, Rohan has been involved in the drafting of employment contracts and employee handbooks.

ROHAN'S EXPERIENCE

Litigation, Arbitration and Adjudication

- Experience in conducting and assisting in hearings at the Federal Court, Court of Appeal, High Court and Subordinate Courts.
- Experience in conducting and assisting in trials at the High Court and Subordinate Courts.
- Experience in conducting and assisting in arbitration proceedings.
- Experience in acting as adjudicator and as counsel in adjudication proceedings.

- Experience in drafting opinions, pleadings, interlocutory applications and written submissions involving various areas of the law.
- Experience in reviewing and providing advice on various types of agreements.

Construction Dispute Resolution and Advisory

- Acted for a company engaged in the business of water treatment plants in respect of a dispute with the main contractor relating to the construction of sewerage treatment plants in Penggerang, Johor.
- Acted for a company engaged in the business of building construction in respect of a dispute with its sub-contractor relating to the construction of a Tabung Haji Complex in Sepang, Selangor.
- Acted for a company engaged in the business of building construction in respect of a dispute with the employer relating to the construction of semi-detached houses in Putrajaya.
- Acted for a company engaged in the business of building construction in respect of a dispute with a Civil & Structural Specialist relating to the construction of a military camp.
- Acted for a company involved in engineering works in a dispute relating to the installation of the fuel hydrant system for the Kuala Lumpur International Airport.
- Acted for a property developer in a class action by purchasers of high-end bungalow units in Shah Alam relating to defects discovered in their property.
- Acted for a company engaged in the business of marble manufacturing and installation in a dispute with purchasers of a high-end condominium unit in Bangsar relating to defects discovered in their unit.
- Acted for a company engaged in the business of building construction in respect of a dispute relating to the Hot, Cold Water and Sanitary Plumbing Services for the Tabung Haji Complex in Sepang, Selangor.
- Acted for a piling specialist in respect of a payment dispute with the main contractor relating to a mixed development project in Gombak, Selangor.
- Acted for a foundation and geotechnical specialist in a dispute relating to the preservation of retention monies following the liquidation of the Employer.
- Acted for a major construction company in a dispute with a sub-contractor relating to the drainage works for the MRT project.
- Acted for a major construction company in a dispute with a sub-contractor relating to the construction of an Indoor Stadium for the Bukit Jalil Sports Complex.

- Acted for a major construction company in a dispute with the main contractor relating to the construction of a highway in Negeri Sembilan.
- Advised a major construction company in respect of a dispute relating to works carried out for the construction of the Kuala Lumpur International Airport 2.
- Advised a major Oil & Gas company in respect of a dispute relating to a construction project.
- Acted for a home owner in respect of a dispute with interior design contractor relating to interior design works carried out at her bungalow.

Employment Law

- Acted for an Employee, who had served the Company for more than 21 years in an unfair dismissal claim in the Industrial Court.
- Acted for a property developer in the Industrial Court in an unfair dismissal claim by an Employee, who was terminated on the grounds of misconduct.
- Acted for a company engaged in the business of food & beverage in the Industrial Court in an unfair dismissal claim by a Consultant who was engaged for a three (3) month probationary stint to turnaround the business of the company.
- Acted for a multi-national company in the Industrial Court in an unfair dismissal claim by an Employee, who was terminated on the grounds of redundancy.
- Acted for a multi-national company who successfully negotiated an amicable out of court settlement with an Employee who was terminated on the grounds of poor performance.
- Acted for a company engaged in the business of manufacturing and development in a constructive dismissal claim by an Employee and successfully negotiated an amicable out of court settlement.
- Acted for an Employee against renowned international hotel group in a claim for constructive dismissal in the Industrial Court.
- Acted for an Employee against a Government linked company in an unfair dismissal claim in the Industrial Court.
- Acted for a company engaged in the business of manufacturing and development in a claim for unfair dismissal brought by a former Employee.
- Engaged by an international law firm to provide advice to a German company, who intends to set-up operations in Malaysia, on various aspects of Malaysian employment law.

- Advised a global innovative technology company on minimum wage, shift work and overtime claims in Malaysia.
- Advised an international company on queries relating to various aspects of Malaysian employment law.
- Advised companies on the position of the law in Malaysia in relation to the termination of a probationer on the grounds of poor performance and misconduct.
- Advised a company on their right to terminate the services of a Consultant on the grounds of misconduct.
- Assisted several companies in the drafting and/or reviewing of Contracts of Employment for their employees.

Civil and Commercial Litigation

- Acted for a supplier in a dispute involving claims of fraud and conspiracy to injure by a renowned development and construction company relating to the construction of a hotel and conference centre in Desaru, Johor Bahru.
- Acted for a property developer in a dispute with former employees involving claims of fraud and conspiracy to injure.
- Acted for a supplier in a dispute involving claims of fraud and conspiracy to injure.
- Acted for a property developer in a dispute with former directors involving claims of fraud.
- Acted for a local telecommunication solutions provider in a dispute with another telecommunication solutions provider relating to the tenancy of a building.
- Acted for a company engaged in the business of submarine rescue vessel in respect of a dispute relating to underwater intervention services for the rescue of submarines in distress in Kota Kinabalu, Sabah.
- Acted for an Oil & Gas company in a dispute with a contracting party relating to an On-Shore and Off-Shore project in Yangon, Myanmar.

Defamation and Tortious Actions

- Acted for a company engaged in the business of food & beverage in a claim for libel against a Turnaround Consultant.
- Acted for an Indian national in a claim for a slander by another Indian national and a Malaysian citizen.

- Acted for a company engaged in the business of building construction in a claim for trespass and encroachment.
- Acted for a highway concessionaire in a dispute involving nuisance.
- Acted for a company engaged in the business of building construction in a dispute relating to a claim for compensation arising from the compulsory acquisition of a private land.
- Acted for a purchaser of a land in a dispute with a local financial institution relating to the entry of a caveat over the land.
- Acted for a major property development company in a land dispute involving the State Authority.
- Acted for a prominent property development company in a dispute with land owners.
- Acted for a property owner in a dispute with a neighbouring property owner relating to the running of a day care centre for disabled children in a residential area.

General Dispute Resolution

- Acted for two established construction companies in a dispute with the Main Contractor relating to a development project. The issue in dispute concerned whether the retention sums being held by the Main Contractor were monies held in trust by the Main Contractor on behalf of the two construction companies as Sub-Contractors.
- Acted for a civil society organization in Malaysia which was established to promote ties between Malaysia and Europe. This matter involved a dispute with the former Chairman of the said organization wherein the issues involved various aspects of the law including contractual issues such a breach of an agreement, company law related issues such as breach of fiduciary duties and tortious issues such as conspiracy to injure and loss of reputation.
- Acted for a Malaysian information technology based company in a dispute with its parent company in Germany relating to the use of a computer software.
- Acted for a prominent property development company in a dispute relating to the location of a cemetery at a prominent housing development in Shah Alam.
- Advised a United States based social networking company on its obligations to remove content posted on its website by end-users.

ROHAN'S PROFESSIONAL AFFILIATIONS

- AIAC Panel of Adjudicators
- Member of Society of Construction Law
- Advocacy Trainer with the Advocacy Training Committee of the Bar Council
- Member of the Disciplinary Committee Panel of the Advocates & Solicitors Disciplinary Board

ROHAN'S CONTACT DETAILS



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