

David Mohyuddin QC

Call 1999 | Silk 2016



Clerks' Details

 Nick Buckley
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 Ian Spencer
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 Colin Griffin
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Appointments

- Junior Counsel to the Crown (Regional Panel) 2007 - 2016

Memberships

- Chancery Bar Association
- Northern Chancery Bar Association
- Northern Circuit Commercial Bar Association
- Association of Business Recovery Professionals (R3) (Fellow)
- Insolvency Lawyers' Association
- COMBAR
- Professional Negligence Bar Association

Education

- Bolton School
- LLB University of Birmingham
- Bar Vocational Course, Inns of Court School of Law

Commercial CV

Overview

David has practised commercial litigation since he started at the Bar and continues to do so in Silk. His experience covers all manner of cases but now has a particular focus on commercial litigation, including allegations of fraud; mortgages and asset recovery; company and shareholder disputes.

Recent examples of David's work include:

- advising and representing a major local authority in respect of a dispute with the developer of a strategically important site in the city (China Town Development Company Ltd v Liverpool City Council [2017] EWHC 3347 (Ch));
- successfully appearing at trial for the company claimant to recover a loan made to its former director involving the cross-examination of expert witnesses on the value of alleged security for the loan (Autocal Holdings Ltd v Jeffery [2017] EWHC 907 (Ch));
- obtaining permission to appeal and to rely on fresh evidence (Kang v Singh [2017] EWHC 598 (Ch)) and then successfully appealing an order for possession made in proceedings between English and Canadian parties.
- successfully defending a shareholder dispute on a preliminary issue about the effect of an earlier compromise agreement (Utilise TDS Ltd v Davies [2016] EWHC 2127 (Ch));

Prior to taking Silk, David led in the Court of Appeal for one of the respondents in Denton v White [2014] EWCA Civ 906, dealing with the proper approach to be taken on an application for relief from sanction under CPR 3.9.

Recommendations

Chambers and Partners

“Technically excellent in his advice while providing a commercial focus.” “My go-to: very considered, calm and easy to work with.”

“A relatively young silk who’s highly knowledgeable and a good choice if you need some aggression to be injected into a case.”

“David is fantastic to work with – on top of being technically excellent, he is extremely user-friendly and very quickly builds up a great rapport with clients.” “He is extremely personable, bright and gets to the heart of issues very quickly.”

“He’s very down to earth and happy to take calls at any time.” “He’s very useful as he gets you over any initial hurdles you might have.”

“He’s extremely bright, but at the same time has the ability to engage with clients.” “He’s absolutely fantastic - he’s a real team player.”

“He is clever, authoritative and willing to buy into the case and be part of the team.”
“Extremely precise in court.”

“He is very forensic and analytical in his approach and his arguments are very well put together.” “A very personable type and he is good on his feet.”

“He’s very well prepared and his papers are immaculate - he thinks outside the box.”

“He’s excellent, very proactive, bright, tactical and frankly very cost-effective.”

“Decisive and thorough, he displays an intricate knowledge of the law and applies it brilliantly.” “An excellent strategist.”

“A renowned insolvency barrister with a strong reputation in the adjacent field of commercial chancery.”

“He has the gift of being able to condense an argument where others would be overly verbose. His skeleton arguments are always spot-on and to the point and he has a very persuasive advocacy style.”

“Proficient senior junior adept in a variety of commercial and insolvency work, including commercial fraud matters. Assists with high-value cases of legal importance, including Court of Appeal briefs.”

“He has in-depth knowledge. He is also very straightforward and very down-to-earth.”

“Really user-friendly. He rolls up his sleeves, gets involved and is prepared to put his neck on the line and back his judgement, which he always comes through on.”

“He is decisive and thorough, he displays intricate legal knowledge and he crafts the perfect legal strategy for the client.”

“He is at the top of our list for instructing.”

“He is always very thorough and well prepared, and he is fantastic on his feet. He is a match for any insolvency barrister on the Northern Circuit.”

“He is superb on his feet, very bright and highly recommended for commercial matters.”

“A real expert in insolvency matters.”

Legal 500

“A forceful advocate with a great client manner.”

“A star performer.”

“An extremely capable and forceful advocate.”

“Tactically excellent; he is liked and respected by clients.”

Cases

China Town Development Company Limited v Liverpool City Council [2017] EWHC 3347 (Ch): Appeared for Liverpool in a dispute with the developer of a strategically important site in the city

Autocal Holdings Limited v Jeffery [2017] EWHC 907 (Ch): Appeared at trial for the successful company claimant seeking to recover a loan made to its former director involving the cross-examination of expert witnesses on the value of alleged security for the loan

Kang v Singh [2017] EWHC 598 (Ch): Obtained permission to appeal and rely on fresh evidence and then appeared for the successful appellants in possession proceedings between English and Canadian parties

2017: Appeared on behalf of a major utilities provider in proceedings brought against a sub-contractor and its directors in respect of over-charging involving obtaining a freezing injunction and then going on to achieve a compromise soon after

Utilise TDS Limited v Davies [2016] EWHC 2127 (Ch): Appeared for one of the defendants in the substantive proceedings and succeeded in having the claim against him dismissed based on the true effect of an earlier compromise agreement made between the claimant and another defendant

Utilise TDS Limited v Davies & Bolton College [2014] EWCA Civ 906: Appeared for one of the respondents in the Court of Appeal when three cases were heard together and fresh guidance was issued on the way in which CPR 3.9 was to be applied on applications for relief from sanction, following the decision in **Mitchell v News Group Newspapers Ltd**. (Reported as **Denton v TH White Ltd** and other appeals.)

Montpellier Estates Limited v Leeds City Council [2012] EWHC 1343 (QB); [2013] EWHC 166 (QB): Successfully defending a huge deceit claim (valued at in excess of £35million; trial lasted 35 days) brought in the context of the procurement exercise for the Leeds Arena.

The Sonae Group Limited [2013]: Acting on an urgent basis for the insured defendant to a large number of personal injury claims brought in respect of a fire at commercial premises, successfully overturning the grant of a freezing injunction obtained against the defendant.

Willett v Economy Power [2012] EWCA Civ 1164; [2012] BPIR 1298: Appearing at trial and on appeal for Economy Power.