

Barrister: Gaurang Naik

Overview

Gaurang's practice is personal injury, insurance fraud and clinical negligence. He regularly deals with high value personal injury claims and complex financial claims.

He was called to the Bar in 1985. He brings his experience and calm manner to his cases and deals with seriously injured clients with sympathy whilst retaining professional objectivity.

In court, he is very good at identifying important issues and focussing on those.

He regularly lectures solicitors on subject including occupational illness claims, preparing complex schedules of loss and pre-emptive remedies. He is a co-author of APIL's Occupational Illness book.

He is also sought after in claims with Human rights Act impact.

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Personal Injury

Personal Injury

Gaurang's personal injury practice is largely dealing with high value fatal & serious injury claims. He deals with accidents at work and road traffic accidents. He is regularly instructed by trade union solicitors in employer's liability claims. He is much sought after in complex financial claims.

He is known for occupational illness claims including asbestos related illnesses, psychiatric illness as a result of occupational stress, noise induced hearing loss and repetitive strain injuries.

He was in the seminal cases on work related upper limb disorder claims and psychiatric illness as a result of occupational stress.

Stress Related Illness

- **Glover v IETG (2015)**: Gaurang secured compensation for a Waste Water Consultant for occupational illness she suffered as a result of excessive workload and the behaviour of another employee. There were serious issues of liability including causation.
- **Roper v S E Area Strategic Health Authority (2010)** : Harassment and bullying of Planning Manager by Line manager.
- **Griffith v Law Society (2009)**: Advised Claimant on her claim for occupational illness from work overload.
- **Dickins v O2**: Illness from occupational stress resulting from work overload with complicated factual issues of foreseeability.
- **Nicholls v Devon County Council** : Claim by teacher for illness as a result of re-organisation and resultant stress at work.
- **Blair v Michael Page Limited** : Occupational illness as a result of overwork

Work Related Upper Limb Disorder

- **Bhoday & Others v Weetabix (2002)** : Represented 10 Claimants in claim for WRULD in same workplace.
- **Gallagher v Bond Pearce (2001)** : Seminal case of WRULD of a secretary from typing and mouse use.

Accidents at work

- **Andrews -v- Plantagenet (2017)**: Recovered substantial 6 figure damages for construction work accident at a JSM.
- **W v NHS Trust (2015)**: Gaurang secured a settlement of £225,000 for a Claimant nurse for psychiatric injury she suffered as a result of being held at knife point by a patient in a psychiatric hospital.
- **Parkes v Chief Constable of Hertfordshire (2013)** : Police officer injured whilst attempting to assist other police officers in restraining a violent prisoner.
- **Nazari v Bolton County Council (2013)** : Claimant suffered foot amputation when a skip fell on his foot whilst at work.
- **Duncanson -v- Dragados [2017]**: Construction accident. Recovered £475,000 at JSM for psychiatric injury as a result of being caught in an explosion whilst working as an electrician in the Cross rail tunnel construction.
- **Oraldag -v- Kilic [2017]**: Claimant awarded nearly £300,000 for accident at work when he fell off a ladder and suffered closed head injury and fracture of the clavicle.

Road Traffic Accident



Call: 1985

Education:

DipLaw, City University; BSc (Econ), London School of Economics & Science

Practice areas

- Clinical Negligence
- Commercial and Property
- Inquests
- Mediation
- Personal Injury
- Professional Negligence

Recent News

- Solicitor and Doctor found guilty of contempt of court
- LVI Insurers fail in their committal application

- **Niazi –v- Quadir (2017)**: Obtained settlement in excess of £300,000 for brain and spinal injury with complications of causation and contributory negligence.
- **Waheed v Ananthrajan (2012)**: Complex medical issues with a disputed diagnosis of epilepsy.
- **Penny v Parabis Law (2010)**: Negligence claim arising from a personal injury litigation.

Inquests

- **Goddard v HMP Pentonville (2012)**: Inquest into death of a prisoner with allegations of negligent medical treatment.

Commercial

Commercial

Gaurang's commercial practice is largely fraud cases related to the insurance industry. He has dealt with large and complex fraud cases and solicitors appreciate his experience in dealing with these cases. He regularly deals with pre-emptive remedies including injunctive relief, search and seizure and delivery up orders.

Commercial

- **Copthall Ltd v (1) Scorched Earth Services Limited (2) Stephen Margolis**: Substantial claim for damages for misrepresentation and deceit arising out of film funding. Gaurang acting for the Claimants obtained a significant interim order.
- **Brooks v Kichl**: Claim for large scale investment fraud which Gaurang successfully obtained summary judgment.
- **AXA Insurance & Direct Line Insurance company v Sulaman & others (2008)**: One of the early claims for damages including exemplary damages brought by insurers for deceit and misrepresentation to trial. This arose from fraudulent insurance claims made for RTA. The trial lasted 2 months involving complex legal and factual arguments. Gaurang defended one of the Defendants in the case.
- **E-Surv v Bali & Others (2006 - 2007)**: Large scale mortgage fraud. Claim by insurers for damages for deceit and misrepresentation and conspiracy in the Commercial court with a number of defendants.
- **Morgan Law v Ali Nobakht (2015)**: Injunctive relief against an ex-employee who had hacked into the Claimant's computers to restrain him from use of information and deliver up information.
- **Scott-Moncrieff Associates v Poole (2014)**: Gaurang obtained an injunction against a solicitor for delivery up of files after termination of a contract.

Professional Negligence

Professional Negligence

Gaurang deals with serious clinical negligence claims, claims against solicitors arising from personal injury related litigation and claims against accountants.

He deals with clinical negligence claims of varying complexities including birth defects, fatalities, and GP negligence.

In clinical negligence cases Gaurang's practice is largely acting for Claimants.

Some very recent cases include:

- **V –v- Barts Health NHS Trust [Ongoing]**: Gaurang acts for the widow whose husband died following decompressive craniotomy. The death due to failure to control brisk bleeding during surgery. Difficult case on breach of duty during surgery.
- **T-v- Medway NHS Foundation Trust [Ongoing]**: Gaurang acts due to failure to diagnose pulmonary embolism.
- **C –v- Southend University Hospital NHS Foundation Trust [Ongoing]**: Gaurang acts for the widow where death of her husband was due to a failure to detect pancreatic malignancy.
- **Y v X NHS Trust (2017)**: Death due to dissection of coronary following delay in surgery for perforated sigmoid colon. Complex issues of causation. Ongoing.
- **B v UCL NHS (2017)**: Speech problems and chronic headaches following culposuspension operation due to inadequate anaesthetic. Ongoing.
- **S R V X GP (2017)**: A minor suffered vertebral artery aneurism due to delayed referral for investigation by GP.
- **K v X NHS Trust (2017)**: End-stage renal failure brought forward by 5 years due to delayed referral to a nephrologist.

Mediation

Gaurang is an accredited mediator (London School of Mediation). He undertakes mediation in civil and commercial disputes including partnership disputes, co-ownership disputes, professional negligence including clinical negligence and personal injury.

For more information please call our clerks on **020 7832 0500**

