



Gaurang Naik

Call: 1985



| | |
|---|--|
|  | gnaik@9goughchambers.co.uk |
|  | +44(0)20 7832 0500 |

Gaurang has more than 35 years' experience in common law litigation.

He is now mostly instructed in complex and high value personal injury, clinical negligence and professional negligence cases.

He brings a calm and analytical mind dealing with serious cases with sympathy and pragmatism. He has great skill at identifying the important issues in a case and focussing on them.

He is a very good advocate and is able to distil the most complex issues and present them in an easily comprehensible and effortless manner before a County Court or a High Court judge.

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.

Areas of Expertise

Personal Injury

Gaurang deals with all aspects of personal injury cases but his main focus now is on high value fatal and serious injury claims. He has significant practice in fatal injury claims arising out of road traffic and accidents at work, occupational illness and clinical negligence. He deals with occupational illness claims including asbestos related illness, psychiatric injury as a result of stress at work and historic sexual abuse claims. He has been in seminal cases in stress related illness and WRULD.

Notable Personal Injury cases

Ardi Bushi –v- Exotic stones Limited & Yes Marble Limited [2020]

Gaurang represented the Claimant, aged 41, who suffered amputation of his right dominant arm and other serious physical and psychiatric injuries as a result of accident in the course of his work. Gaurang argued for 2 functional electric prosthesis that share 2 hands/ terminal device together with a dedicated non-electric sports/gym arm with a selection of interchangeable terminal devices (“bionic arm”). He helped secure a settlement of £2.65mn.

JW –v- Richard John Hickson [2020]

Gaurang acted for the Defendant in a claim for substantial damages for historic sexual abuse when the Claimant was between 12 and 14 years of age. The last incident was about 25 years earlier. The claim followed an acquittal in the criminal trial. Gaurang advised on the most cost effective resolution of the case.

Kirsten Holly Reay –v- DWF LLP [2020]

This was a claim for damages for psychiatric injury induced by stress at work as a Solicitor due to excessive workload. Complex factual issues relating to workload. Gaurang assisted in bringing the claim to a successful compromise just prior to a 4 day trial.

Wioletta Wojciechowska –v- Galczynski & UK Insurance [2020]

Gaurang acted for the Claimant, aged 41, suffered rib fractures and thoraco-lumbar spinal fractures in a road traffic accident. She required surgical fixation of the spinal fractures. She was, however, a stoic woman and concerned about job security so returned to work after 6 months whilst still in pain. As a result Defendants argued that she was not disabled and not at a substantial disadvantage in the labour market and didn't require the amount of care. Gaurang prepared a detailed Schedule of Loss with a significant future loss of earnings and future cost of care claim setting out in detail the basis of the claim. The claim was settled for a 6 figure sum at JSM.

Clinical Negligence

Gaurang's practice is largely claimant based and ranges from birth defects, negligence arising from surgery and GP's negligence.

Notable Clinical Negligence cases

Mrs Khuan Thye Wong PR of the estate of Mr Senh Cah Van (deceased) –v- Barts Health NHS Trust [Ongoing]

Gaurang acts for the widow of the deceased who fell off a ladder and was admitted to the D hospital and underwent a large craniotomy. During the surgery there was a large bleeding which the surgeon failed to control leading to his death. This was a difficult claim as it related to criticism of the surgeon during surgery. The deceased also had a very complicated business affairs both in UK and abroad which required careful analysis.

Mrs Sithy Raheem Beevi Mohammed Faizal as Administrator of the Estate of Master Iman Abdullah Mohammed Faizal (Deceased) –v- North West Anglia NHS Foundation Trust

This is a claim for damages on behalf of the estate of a minor and his mother in her own right for personal injuries she suffered as a result of the clinical negligence of D when she was in their care during her pregnancy. As a result of various delays during her labour baby Iman was born with Grade 3 hypoxic Ischaemic Encephalopathy and suffered seizures. 11

months later he died.

Mrs Claire Elizabeth Cann (Wife and PR of the estate of Peter Robert Cann (Deceased) –v- Southend

Gaurang acts for the C whose husband died due to the failure of D to detect pancreatic malignancy with complicated issues about life expectancy and causation.

Commerical

Gaurang’s commercial practice spans professional negligence particularly claims against solicitors arising from personal injury and clinical negligence litigation and civil fraud and related issues.

He has dealt with long and complex civil fraud claims at trial and also interim applications such as freezing injunctions, delivery up and summary judgment.

Notable Commerical cases

Peter Pavelec –v- Slater Gordon Solutions Legal Limited [Ongoing]

Gaurang acts for the C, an award winning body builder who was injured in a road traffic accident. Claim against his solicitors for under compensation at trial due to their negligence. Complex issues relating to loss of a chance of prize money and loss of business.

Soul –v- Soul

Gaurang successfully defeated the registration of the lease on the grounds of fraud/validity of the lease. This was a dispute between first cousins as to whether or not a lease of a garden adjacent to the Applicant’s property had been granted by a family company. The case also considered the effect of non –registration and whether, if a lease had been granted it was in breach of trust. [2018] UKFTT 721 (PC)

Tarik Jamous –v- Alexander Mercouris [2020]

This was claim for professional negligence/negligence against a Barrister who was subsequently struck off but pending appeal This claim was brought a long time after the events.

The claim arose from a very bizarre set of circumstances and threw up a range of issues from summary judgment, procedural wrangles, limitation, permission to appeal out of time, appeals procedure, resisting the appointment of a litigation friend.

[2019] EWHC 722 (QB); [2019] EWHC 1746 (QB); [2020] EWHC 2814 (QB).

Education

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

Memberships

- Personal Injury Bar Association
- Professional Negligence Bar Association
- London Common Law and Commercial Bar Association

Appointments

- Accredited Mediator