

IN THE COURT OF FIRST INSTANCE
OF THE ASTANA INTERNATIONAL FINANCIAL CENTRE

25 February 2022

CASE No: AIFC-C/CFI/2022/0007

METALLINVESTATYRAU LLP

Claimant

v

AKSAYSTROY-2020 LLP

Defendant

JUDGMENT AND ORDER

Justice of the Court:

Justice Lord Faulks QC

JUDGMENT AND ORDER

1. Pursuant to a Claim Form made on 23 February 2022 the Claimant seeks an Order from this Court to recognise and enforce the measures set forth in paragraph 44 of the IAC Arbitration Award dated 18 February 2022 made by Ms. Indira Yeleusizova, the sole arbitrator appointed by a letter dated 3 November 2021 of Ms. Barbara Dohmann QC, the Chairman of the International Arbitration Centre of Kazakhstan, in IAC Arbitration Case No 81/2021.
2. Having read the Award it appears to me that the application is justified. Accordingly, I hereby order:

That AKSAYSTROY-2020 LLP pay to METALLINVESTATYRAU LLP:

- 1) the principal amount of 17,807,787 (seventeen million eight hundred and seven thousand seven hundred and eighty-seven) tenge;
- 2) the penalty in the amount of 3,739,635 (three million seven hundred and thirty-nine thousand six hundred and thirty-five) tenge;
- 3) the amount of expenses related to the resolution of the dispute in arbitration in the amount of 580,948 (five hundred and eighty thousand nine hundred and forty-eight) tenge, a registration fee in the amount of 58,340 (fifty-eight thousand three hundred and forty) tenge;

By no later than 6pm Nur-Sultan time on Friday 11 March 2022, being 15 days from the date of this Judgment and Order.

3. The Defendant is given liberty to apply to have this Order set aside within 7 days of service upon it of this Order.

By the Court,

Edwan Faull



Representation:

The Claimant was represented by Mr. Rakhat Azhgaliyev.

The Defendant was not represented.