

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

7 February 2024

CASE No: AIFC-C/CFI/2024/0008

Damir Mukashev

Claimant

v

(1) "ABN ALYANS" LLP,

(2) Nurlan Rysbekov,

(3) Bazarkul Aidarov

Defendants

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JUDGMENT AND ORDER

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Justice of the Court:  
Justice Tom Montagu-Smith KC

**JUDGMENT AND ORDER**

1. Pursuant to a Claim Form made on 2 February 2024 the Claimant seeks an Order from this Court to recognise and enforce the measures set forth in part 7 of the IAC Arbitration Award dated 17 January 2024 made by Ms. Snezhana Kutsenko, the sole arbitrator appointed by a letter dated 3 October 2023 of Mr. Thomas Krümmel, the Chairman of the International Arbitration Centre of Kazakhstan, in IAC Arbitration Case No. 32/2023.
2. Having read the Award it appears to me that the application is justified. Accordingly, I hereby order that the Claimant is entitled:
  - 1) To collect from "ABN ALYANS" LLP BIN 190340018634, Nurlan Rysbekov IIN 670520350498, Bazarkul Aidarov IIN 700118301797 in solidarity in favor of Damir Mukashev IIN 750420301403 the amount of debt 51,945,641 (fifty-one million nine hundred forty-five thousand six hundred forty-one) tenge, the amount of a lump sum penalty for late payment in the amount of 5% of the loan amount under all agreements and amounts to 1,035,000 (one million thirty-five thousand) tenge, expenses for payment of representative's services in the amount of 675,000 (six hundred seventy-five thousand) tenge, expenses for payment of the arbitrator's fee in the amount of 300,000 (three hundred thousand) tenge.
3. The Defendants are given liberty to apply to have this Order set aside within 14 days of service upon it of this Order.
4. This Order shall not be enforced (a) until after the end of the period set out in paragraph 3 above or (b) until after any application made by the defendant within that period has been finally disposed of, whichever is the later.

By Order of the Court,

Justice Tom Montagu-Smith KC,  
Justice, AIFC Court

**Representation:**

The Claimant was represented by Mr. Daniyar Niyazgulov, Director of Benefits & Partners law firm, Astana, Republic of Kazakhstan.

The Defendants were not represented.