



IN THE COURT OF FIRST INSTANCE

OF THE ASTANA INTERNATIONAL FINANCIAL CENTRE

16 August 2021

CASE No: AIFC-C/CFI/2021/0004

AMEGA STROY LLP

Claimant

v

SPETSTRANS + K LLP

Defendant

JUDGMENT

Justice of the Court:

Justice Sir Rupert Jackson

JUDGMENT

1. On 14 June 2021 Amega Stroy LLP ('Amega') issued a claim against Spetstrans+K LLP ('Spetstrans') for sums due under a settlement agreement. The claim form was served on 14 June 2021. Spetstrans failed to file and serve an acknowledgement of service as required by Part 7 of the AIFC Court Rules, either in time or at all. In those circumstances, Amega seeks judgment in default pursuant to rules 7.5 and 9.4 of the Rules.
2. The background facts are as follows. By a contract dated 25 January 2017 Spetstrans employed Amega to construct a housing complex on Baitursynov Street, Astana. Disputes about payment developed and these were referred to mediation. The mediator was Meyramgul Abibullaevna Shabylova. The mediation agreement was dated 24 May 2019. The mediation resulted in a settlement agreement, which was signed by the parties and the mediator. Under section 7 of the mediation agreement Spetstrans agreed to pay to Amega sums totalling KZT 542,881,443. Spetstrans failed to pay that sum or any part of it.
3. Both parties have conferred jurisdiction on this court by agreement: see the statement signed by N A Askerova, a director of Amega, dated 25 March 2021, and the statement signed by A N Dergachev, a director of Spetstrans, dated 26 March 2021.
4. Amega's claim form sets out the facts concisely, with relevant documents attached. Spetstrans has not exercised its right to challenge any of those facts by serving an acknowledgement of service and defence. In those circumstances, the court enters judgment for the sum claimed, namely KZT 542,881,443.

ORDER:

- 1. THE DEFENDANT DO PAY TO THE CLAIMANT KZT 542,881,443 WITHIN 21 DAYS FROM THE DATE OF THIS ORDER**

By the Court,

КАЗАКСТАН РЕСПУБЛИКАСЫ
АСТАНА КАЛАСЫ
ТОО «Амега Строй»
ЖАУАПКЕРШІЛІГІ
ШЕКТЕУЛІ
СЕРІКТЕСТІГІ

ТОО «Амега Строй»



РЕСПУБЛИКА КАЗАХСТАН
ГОРОД АСТАНА
ТОВАРИЩЕСТВО
С ОГРАНИЧЕННОЙ
ОТВЕТСТВЕННОСТЬЮ
ТОО «АмегаСтрой»

г.Нур-Султан БИН030840015666 ст.ф-ал АО «Цеснабанк» ИИК KZ60998ВТВ0000355578

иск № 1-47 от 25.03.2021 года

В Суд МФЦА
от ТОО «Амега Строй»
БИН 030840015666

ЗАЯВЛЕНИЕ

ТОО «Амега Строй» БИН 030840015666 дает свое согласие на рассмотрение спора между ТОО «Спецтранс+К» БИН 041040008926 и ТОО «Амега Строй» БИН 030840015666 в Суде Международного Финансового Центра «Астана»

Директор ТОО
«Амега Строй»



Аскерова Н.А

Translation from Russian

**REPUBLIC OF KAZAKHSTAN
ASTANA CITY
«Amega Stroy» LLP
LIMITED LIABILITY PARTNERSHIP**

Nur-Sultan City, BIN 030840015666, Metropolitan branch "Tsesna Bank" JSC, IIC:KZ60998BTB0000355578

Outgoing number: 1-47

Dated: March 25, 2021

**To the AIFC Court
from AmegaStroy LLP
BIN 030840015666**

STATEMENT

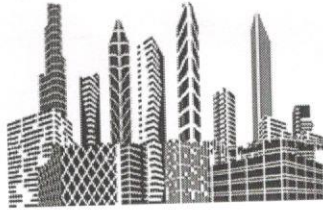
«Amega Stroy» LLP, BIN 030840015666, grants its consent to the consideration of the dispute between «Spetstrans + K» LLP, BIN 041040008926, and «Amega Stroy» LLP, BIN 030840015666, in the Court of the Astana International Financial Center.

Director of
«Amega Stroy» LLP /signed/Askerova N.A.

/seal of the «Amega Stroy» LLP/

КАЗАКСТАН РЕСПУБЛИКАСЫ
АСТАНА ҚАЛАСЫ
ТОО «СпецТранс+К»
ЖАУАПКЕРШІЛІГІ
ШЕКТЕУЛІ
СЕРІКТЕСТІГІ

ТОО «СпецТранс+К»



РЕСПУБЛИКА КАЗАХСТАН
ГОРОД АСТАНА
ТОВАРИЩЕСТВО
С ОГРАНИЧЕННОЙ
ОТВЕТСТВЕННОСТЬЮ
ТОО «СпецТранс+К»

№ 39 от 26.03.2021 г.

В Суд МФЦА
от ТОО «СпецТранс+К»
БИН 041040008926

ЗАЯВЛЕНИЕ

ТОО «СпецТранс+К» БИН 041040008926 дает свое согласие на рассмотрение спора между ТОО «Амега Строй» БИН 030840015666 и ТОО «СпецТранс+К» БИН 041040008926 в Суде Международного Финансового Центра «Астана»

Директор ТОО
«СпецТранс+К»



Дергачев А.Н

**REPUBLIC OF KAZAKHSTAN
ASTANA CITY
«Spetstrans + K» LLP
LIMITED LIABILITY PARTNERSHIP**

*No. 39
dated March 26, 2021*

**To the AIFC Court
from «Spetstrans + K» LLP
BIN 041040008926**

STATEMENT

«Spetstrans + K» LLP, BIN 041040008926, grants its consent to the consideration of the dispute between «Amega Stroy» LLP, BIN 030840015666, and «Spetstrans + K» LLP, BIN 041040008926, in the Court of the Astana International Financial Center.

Director of
«Spetstrans + K» LLP/signed/Dergachev A.N.

/seal of the «Spetstrans+ K» LLP/