



IN THE COURT OF FIRST INSTANCE

OF THE ASTANA INTERNATIONAL FINANCIAL CENTRE

16 July 2025

CASE No: AIFC-C/CFI/2025/0009

R JSC

Claimant

v

B and C Pvt. Ltd

Defendants

JUDGMENT AND ORDER ON COSTS

Justice of the Court:

Justice Sir Jack Beatson FBA

JUDGMENT

- 1 I have considered the submissions of the parties on costs; both dated 3 July 2025. In § 79 of my judgment in this case I stated that I was minded to make an immediate assessment of costs rather than a detailed one and neither party objected to this.
- 2 The application by R (the applicant and the respondent in the underlying arbitration) was not frivolous or ill-considered, but I found (see §70) that the sole arbitrator did not err in concluding that R failed to demonstrate access to confidential information relevant to the arbitration which was prejudicial to its case. Accordingly, there is no reason for not applying the general rule in AIFC Court Rule 26.5 that the unsuccessful party pay the costs of the successful party, here C, the respondent to R's application and the claimant in the underlying arbitration.
- 3 As to the sum claimed, in its defence dated 28 April 2025, C claimed US\$15,000 in respect of costs. In response to what I stated in § 79 of my judgment, it has provided a full statement of the time taken by the three fee earners involved and their hourly rates. The total sum claimed is US\$25,260. The total time claimed by the partner, senior associate and junior associate involved is 113.2 hours.
- 4 Although R's application was dismissed, I rejected C's submission that it was time-barred. I also consider C has claimed an excessive number of hours in relation to the application for immediate judgment and partial strike out, and its response to the application to amend the claim form. In the light of those circumstances, I summarily assess C's costs in the sum of US\$ 18,750

ORDER ON COSTS

Upon consideration of the statement of costs dated 3 July 2025 that was submitted by C, the respondent to the application, and the submissions on costs by R, the applicant, dated 3 July 2025, I direct that US\$ 18,750 be paid by R to C within 28 days.

By Order of the Court,

Justice Sir Jack Beatson FBA,
Justice, AIFC Court



Representation:

The Claimant was represented by Mr Bakhyt Tukulov, Partner, and Ms Marya Petrenko, Associate, TKS Disputes, Almaty.

The Defendant was represented by Mr Valikhan Shaikenov, Partner, and Mr Mukhit Yeleuov, Partner, ADL Disputes, Astana.