

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

8 August 2025

CASE No: AIFC-C/CFI/2025/0010

ASKHAT SERKBAYEV

Claimant

v

CHINA CONSTRUCTIONS BANK CORPORATION ASTANA (BIN 190341900095)

Defendant

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**JUDGMENT**  
on application for permission to appeal

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Justice of the Court:  
Justice The Lord Faulks KC

**ORDER**

**Permission to appeal is refused.**

**JUDGMENT**

1. The Claimant's claim against the Defendant was dismissed by Judge The Lord Banner KC, sitting in the Small Claims Court of the Astana International Financial Centre on 18 March 2025.
2. The Claim arose out of the Claimant's employment by the Defendant which came to an end in December 2024.
3. The judge rejected the Claimant's argument that he had been the victim of direct discrimination.
4. The judge also rejected an argument that he had been the victim of indirect discrimination.
5. At the core of the Claimant's arguments was that he had been treated differently as a Kazak from other employees who had been relocated from China to Kazakhstan. The judge concluded on the evidence that if there was any discrimination in terms of remuneration, it was justified by the need to provide an incentive to employees from China to relocate to Kazakhstan.
6. The Claimant and the Defendant have both made submissions in relation to the Claimant's application for permission to appeal against the judgment.
7. Permission to appeal may be given where the appeal court considers that (AIFC Court Rules 29.5):
  - (1) the appeal would have a real prospect of success; or
  - (2) there is some other compelling reason why the appeal should be heard.
8. Having considered the submissions in relation to this application and all the material provided to me, I am satisfied that there are no real prospects of a successful appeal and that there is no compelling reason why the appeal should be allowed.
9. In these circumstances I refuse permission to appeal.

By Order of Court,

The Lord Faulks KC,  
Justice, AIFC Court

**Representation:**

The Claimant was represented by himself.

The Defendant was represented by Mr. Zhu Zhiqiang, Deputy CEO of China Construction Bank Corporation Astana Branch.