IN THE COURT OF APPEAL

OF THE ASTANA INTERNATIONAL FINANCIAL CENTRE

18 August 2025

CASE No: AIFC-C/CA/2025/0028

SINOHYDRO CORPORATION LIMITED LLP

Appellant

v

NATIONAL COMPANY "QAZAVTOJOL" JSC

Respondent

JUDGMENT AND ORDER

Justice of the Court:

Justice The Lord Faulks KC

ORDER

The application for an extension of time for permission to appeal is refused.

JUDGMENT

1. This is an application for an extension of time for filing permission to appeal.
   The applicant seeks to challenge various orders of this court (hereinafter *"previous proceedings"*):
   (1) 19 September 2024 C/CFI/2023/ 0044
   (2) 5 December 2024 C/CFI/ 2023/0004
   (3) 28 March 2025 C/CA/2025/0001

2. The applicant purports to rely on Rule 29.12 of the AIFC Court Rules. The application is plainly outside the time limits. There has already been an application for permission to appeal which was refused (see above) on 28 March 2025.

3. The reasons for the delay are said to be that attempts were being made to maintain the business relationship between the parties and there was also delay occasioned by the engagement of a new representative. Criticism is made of the former representative.

4. It is said that the application raises a *"new"* argument not previously before the court. In particular, it is said that certain documents should have been produced in the previous proceedings but were not. Or if they were produced, these documents were not examined by the court.

5. The respondent points out, correctly, that Rule 29.12 of the AIFC Court Rules requires the existence of a valid reason for an extension to be granted.

6. I do not consider that there is a valid reason here. It is important that there should be finality in litigation. The applicant has had the opportunity to deploy relevant arguments and to produce relevant documents in the previous proceedings. If there were any shortcomings in the presentation of the case, that is not a matter for the court.

7. There has been a determination on the merits of the case and a refusal of permission to appeal. It is entirely unjustifiable for the applicant now to have an extension of time for a yet further appeal. In those circumstances the application is refused.

By the Court,

The Lord Faulks KC

Justice, AIFC Court

Representation:

The Appellant was represented by Mr Azamat Sultanbayev, Managing Partner, Pactum Legal Partnes LTD, Almaty, Republic of Kazakhstan

The Respondent was represented by Ms. Ayim Kolzhanova, Chief Manager of the Department of Legal and Personnel Work of JSC “NC “QazAvtoZhol”, Astana, Kazakhstan.