

**IN THE HIGH COURT OF JUSTICE HC 10C02737**

**CHANCERY DIVISION**

**MASTER PRICE**

**MONDAY the 20<sup>th</sup> day of DECEMBER 2010**

**BETWEEN**

**HIMMAT SINGH SOHI**

**Claimant**

**and**

- 1. DIDAR SINGH RANDHAWA AND 20 OTHER (SUED ON THEIR OWN BEHALF AND ON BEHALF OF ALL OTHER MEMBERS OF THE GURDWARA SRI GURU SINGH SABHA, SOUTHALL)**
- 22. Her Majesty's Attorney General**

**Defendants**

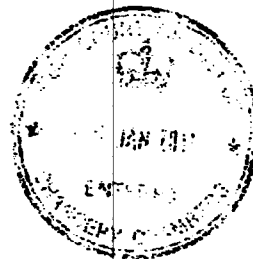
**UPON THE APPLICATION** of the Claimant and the 1<sup>st</sup> to 21<sup>st</sup> Defendants having agreed by their respective solicitors to the terms of this Order in full and final settlement of this Claim

**AND UPON** the Attorney General not objecting to the terms of this Order

**AND UPON** the parties having agreed that the Claimant is and remains a Member of Sri Guru Singh Sabha Southall ("the Charity") and is entitled to stand at the next election to the Committee of the Charity

**AND UPON READING** a draft Order to reflect the terms agreed

**IT IS BY CONSENT ORDERED**



1. that the Scheme governing the Charity dated 17<sup>th</sup> October 1993 as most recently amended on 7<sup>th</sup> March 2010 la, by way of scheme, further amended as set out in the First Schedule hereto
2. that the costs of the parties are to be awarded in accordance with the Confidential Second Schedule
3. that upon compliance with the terms of this Order, the Claim shall be discontinued

**THE FIRST SCHEDULE**  
**(AMENDMENTS TO SCHEME)**

Delete existing clause 11 and replace with the following:

11. Termination of Membership

11(1) A person shall cease to be a Member if he never was, or has ceased to be qualified under paragraph 6(1) as a Member of the Sabha.

11(2) The Committee may propose to the General Body that a Member should be expelled in any case where the Committee consider his/her activities are detrimental to the interests of the Sabha.

11(3) Not less than 28 days before the meeting of the General Body at which the Committee's proposal to terminate a Member's membership is to be considered, the Committee shall give him notice in writing of the grounds on which it proposes that his Membership be terminated and of his right to make representations to the General Body either in writing within such period (not being less than 14 days) as may be specified in such notice or in person at the meeting of the General Body or both. If the Member makes submissions in writing the Committee shall post a copy thereof at some prominent place in the Gurdwaras for not less than 7 days before the meeting of the General Body. If the Member wishes to speak at the General Meeting the President or other person chairing the meeting shall allow him to do so.

11(4) A motion to terminate a Member's Membership requires a two-third majority.

11(5) Any Member whose membership is terminated as aforesaid may after one year from such termination apply at any subsequent regular General Meeting of the General Body to be reinstated as a Member of the Sabha.

11(6) The Committee may at any time prior to a decision of the General Body under clause 11(4) above suspend a Member for a fixed period, not exceeding 3 months provided that they consider that his activities are detrimental to the interests of the Sabha and he has refused to accept in writing a reasonable written request made by the Committee to desist from those activities.

Clause 31 Amend the cross reference TO 11(4) (not 11(3)).

Insert a new clause 54 as follows:

Any dispute as to the meaning and effect of any provision of the Scheme shall first be referred to an Independent accredited mediator to be agreed by the parties or (in the absence of agreement) appointed by CEDR (Centre for Effective Dispute Resolution). The costs of any such mediation to be shared equally between the parties unless they agree otherwise. The Charity is not to pay the costs of any such mediation unless the Trustees have first applied for and complied with any advice received from the Charity Commission under section 29 as regards any such payments.

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**20<sup>th</sup> DECEMBER 2010**

**SOHI -v- RANDHAWA**

**ORDER**

The Court has sent sealed copies of this Order to: -

**Claimant's Solicitor**

West London Law Solicitors  
DX. 39510 Hanwell  
Ref: GH/lc/Sohi05

**First to Twenty First Defendants' Solicitor**

BSG Solicitors  
DX. 57277 Finchley 2  
Ref: PG/EH/SIN0111

**Twenty Second Defendant's Solicitor**

Treasury Solicitors  
DX. 123242 Kingsway  
Ref: Q102530A/LCW/A4

This Order was drafted by Mr S Rogers, Associate (Tel: 020 7947 6733) to whom all enquiries regarding this Order should be made between the hours 9.00 am - 10.15 am and after 4.15 pm. When corresponding with the Court please address forms or letters to The Court Manager, Chancery Chambers Thomas More Building Royal Courts of Justice Strand London WC2A 2LL (DX 44450 Strand) and quote the case number