

29.04.2024  
Item No.35  
gd/ssd

MAT/274/2024  
IA NO: CAN/1/2024  
GURDWARA CHHOTA SIKH SANGAT AND ORS.  
VS  
SARDAR LALU SINGH AND ORS.

Mr. Dilip Kumar Maiti,  
Mr. Uttam Kumar Kamila  
..for the Appellants.

Mr. Sk. Md. Galib,  
Ms. Sujata Mukherjee  
..for the State.

Mr. Shuvasish Sengupta,  
Mr. Abhrajit Roy Choudhury  
..for the Respondent No.1.

1. The above appeal filed by the respondent/writ petitioner in the writ petition has to be outrightly dismissed.

2. The court is shocked and surprised to find that in the year 2024 the appellants being office bearers of a Sangat can pass an order excommunicating the writ petitioner. Excommunication is a serious disease which was deep rooted in ancient India and it is still more surprising that it has surfaced in the particular community to which the appellants belong.

3. Therefore, the learned Single Bench was fully justified in allowing the writ petition and also in imposing cost.

4. The learned advocate for the petitioner would submit that the cost is on the higher side and prays for deletion of the cost.

5. Under normal circumstances, the court would have considered such a request but, however, if the cost is deleted, it will not be a deterrent on the appellants and this could be warning to them that such practice should never be adopted any time in the future.

6. However, taking note of the submission of the learned advocate for the writ petitioner, on instructions, that his client on receiving the cost will donate the same to the Gurdwara.

7. The cost is reduced to 25,000/- for each of the three appellants. The same shall be paid to the writ petitioner within a fortnight from date and has undertaken before the court that the writ petitioner shall donate the said amount to the Gurdwara.

8. In view of the above, the appeal stands disposed of.

**(T. S. SIVAGNANAM)**  
**CHIEF JUSTICE**

**(HIRANMAY BHATTACHARYYA, J.)**