

**(2025) 07 RAJ CK 0614**

**In the Rajasthan High Court, Jodhpur Bench**

**Case No :** Civil Writ Petition No. 8095 Of 2025, Connected With Civil Writ Petition No. 7602 Of 2025, Civil Writ Petition No. 8081 Of 2025, Civil Writ Petition No. 8101 Of 2025, Civil Writ Petition No. 8219 Of 2025, Civil Writ Petition No. 8294 Of 2025, Civil Writ Petition No. 8412 Of 2025, Civil Writ Petition No. 8415 Of 2025, Civil Writ Petition No. 8435 Of 2025, Civil Writ Petition No. 8443 Of 2025, Civil Writ Petition No. 8454 Of 2025, Civil Writ Petition No. 8584 Of 2025, Civil Writ Petition No. 8602 Of 2025, Civil Writ Petition No. 8603 Of 2025, Civil Writ Petition No. 8607 Of 2025, Civil Writ Petition No. 8646 Of 2025, Civil Writ Petition No. 8658 Of 2025, Civil Writ Petition No. 8664 Of 2025, Civil Writ Petition No. 8665 Of 2025, Civil Writ Petition No. 8667 Of 2025, Civil Writ Petition No. 8668 Of 2025, Civil Writ Petition No. 8669 Of 2025, Civil Writ Petition No. 8763 Of 2025, Civil Writ Petition No. 8837 Of 2025, Civil Writ Petition No. 8844 Of 2025, Civil Writ Petition No. 9167 Of 2025, Civil Writ Petition No. 9358 Of 2025, Civil Writ Petition No. 9359 Of 2025, Civil Writ Petition No. 9360 Of 2025, Civil Writ Petition No. 9361 Of 2025, Civil Writ Petition No. 9365 Of 2025, Civil Writ Petition No. 9030 Of 2025, Civil Writ Petition No.10086 Of 2025.

Roshan Yadav

APPELLANT

Vs

Union Of India

RESPONDENT

**Date of Decision :** 07-07-2025

**Acts Referred:**

**Citation :** (2025) 07 RAJ CK 0614

**Hon'ble Judges :** Vinit Kumar Mathur, J

**Bench :** Single Bench

**Advocate :** Kailash Jangid, Mohan Singh Shekhawat, Abhinav Pareek, Meenal Singhvi, Rajesh Panwar

**Final Decision :** Allowed

## Judgement

Sameer Jain, J

1. In the present batch of writ petitions, the scope of the controversy involved, albeit not limited to but is broadly and predominantly defined by the challenge

raised regarding the NEET-UG Exam, 2025 conducted on all India basis by the respondent – National Testing Agency (NTA) on 04.05.2025 wherein, due to power failure/outrage, adverse weather conditions of storm and rain; jumbled and non-sequential question booklet; irregular/delayed time shown by the wall clock in the examination rooms and failure to ensure fairness, transparency and equal opportunity during the said examination. Consequently, considering the fact that the writ petitions warrant adjudication on common questions of law and fact; with the consent of learned counsel appearing on behalf of all the parties, S.B. Civil Writ Petition No. 8095/2025 titled as Roshan Yadav vs. Union of India and Ors, is being taken up as the lead case. It is cautiously clarified that any discrepancies in the present batch of writ petitions, pertain purely to the factual narratives contained therein and not vis-à-vis the questions of law to be determined by this Court; the instant judgment shall be applicable on all the petitions connected herein/henceforth on mutatis mutandis basis.

2. The lead petition is filed with the following prayers:

“a. By issuing a writ in the nature of Mandamus or any other appropriate writ, order, or direction, the Respondents be directed to consider the grievance of the Petitioner regarding the irregularities faced during the NEET (UG) examination and take appropriate remedial action including to conduct re-examination of NEET-2025 to the extent of Petitioner or grant bonus/compensatory marks; and/or, thereby if she is found successful then she may be allowed to participate in further process of counselling & admission in appropriate medical courses in any appropriate medical institution; and/or,

b. Any other writ, order or direction which this Hon’ble Court considers just, fit and proper in the facts and circumstances of this case, may kindly be passed in favour of the Petitioner; and,

c. By appropriate writ order or direction, the cost of litigation may also kindly be given to the petitioner .

d. By an appropriate writ order or direction any other appropriate relief to which the petitioner is found entitled to may also kindly be granted in her favour.”

FACTUAL BACKDROP :

3. On 04th May, 2025, the National Eligibility-cum-Entrance Test (Undergraduate) was conducted across 5,468 centres situated in 552 cities within India as well as in 14 international cities. In the present batch of writ petitions, the cause of action is stated to have arisen at Sikar, Rajasthan, wherein 98 centres were designated as examination venues. A total of 32,208 candidates were registered at these centres, out of which 31,787 candidates appeared for the examination. It was averred by the counsel representing the petitioners that approximately 15 centres were adversely impacted due to power failure, and other alleged deficiencies, affecting 5,390 candidates who had appeared therein. From amongst the candidates at the aforesaid centres, 31 candidates have approached

this Court by way of the present petitions, seeking directions either for conducting a re-examination or, in the alternative, the grant of compensatory/bonus marks.

#### SUBMISSIONS BY THE COUNSEL REPRESENTING THE PETITIONERS:

4. Learned counsel appearing on behalf of the petitioners have unanimously submitted that, on account of the power failure and outage occurring for periods ranging between 5 minutes and 28 minutes approximately at various examination centres, the performance of the petitioners stood materially prejudiced. It was urged that, in the context of a highly competitive examination, such disruption has inevitably impinged upon the petitioners' merit ranking, thereby causing irreparable detriment to their prospects.

5. It was further contended that there exists a rational and reasonable classification between two distinct classes of candidates, namely, those who appeared at the affected centres and those who appeared at the unaffected centres. It was submitted that such distinction warrants differential treatment in the matter of redressal so as to ensure fairness and parity. It was also submitted that, in the facts and circumstances of the present case, the occurrence of power failure and outage, as also distortion in the serial numbering of the question papers provided to certain candidates, is in dispute.

6. Learned counsel for the petitioners have argued that it is axiomatic, as per the instructions governing the conduct of the examination, that it was the responsibility of the respondents, including the Collector concerned, to ensure uninterrupted electricity supply so as to facilitate the candidates in writing the examination in a conducive environment and to enable them to put forth their best performance without unwarranted hindrance. It was further contended that the power failure and outage not only adversely impacted the performance of the candidates at the affected centres but also subjected them to undue stress and anxiety, thereby placing them at a manifest disadvantage vis-à-vis candidates at the unaffected centres.

7. It was specifically pointed out that, as per the results derived from the Optical Mark Recognition (OMR) Sheets and the final answer keys approved by the respondents, the marks obtained by the petitioners ranged in-between 400 and 600, with a significant number of petitioners standing proximate to the qualifying cut-off marks. Therefore, had the disruption not occurred, the petitioners-candidates could have secured higher marks, thereby enhancing their merit position.

8. In this background, it was submitted that, in the interest of justice and to safeguard the principles of fairness and equality, either a re-examination be directed in respect of the affected candidates or, in the alternative, compensatory/bonus marks be awarded to the petitioners, in accordance with their respective claims and as per their option. In support of their submissions, learned counsel for the petitioners have placed reliance upon a number of judicial

pronouncements Disha Panchal Vs. Union of India: 2018(17) SCC 278; Alakh Pandey Vs. National Testing Agency & Ors.: Writ Petition No.368/2024, decided on 13th June, 2024; and Vanshika Yadav Vs.Union of India & ors.: 2024(9) SCC 743;

9. In addition, reliance was also placed upon the Frequently Asked Questions (FAQs) pertaining to NEET UG-2024 as well as the Public Notice dated 13th June, 2024 issued by the respondents. Drawing strength from the said documents, it was contended that, in analogous circumstances involving time-loss, the Grievance Redressal Committee, upon due evaluation, had granted compensatory time and awarded proportionate bonus marks. It was urged that, on the basis of such precedents, the present writ petitions deserve to be allowed in like manner.

#### SUBMISSIONS BY LEARNED COUNSEL APPEARING FOR THE RESPONDENTS:

10. Per contra, learned Senior Counsel, Mr. Rupesh Sharma, assisted by learned counsel, Mr. M.S. Raghav, appearing on behalf of the respondents, at the outset have submitted and admitted that incidents of power failure and outage, as well as jumbling of the question series, did occur for periods ranging between 5 and 28 minutes at the respective centres, depending on the location. However, based on the statistical data referred to hereinabove, only approximately 0.575% of the candidates appearing from the Examination Centre at Sikar raised any grievance in this regard.

11. It was contended that merely handful of candidates from the Sikar Centre approached this Court and that approximately 99.5% of the candidates appeared to be satisfied with the conduct of the examination. On this basis, it was submitted that the objections and grievances raised by the petitioners were neither tenable nor maintainable, particularly when the power failure had occurred on account of heavy storm and inclement weather conditions, which were beyond the control of any person or authority.

12. Learned counsel for the respondents further submitted that an Expert Committee/Grievance Cell, comprising two to three members, was duly constituted, and that the said Committee, upon a detailed analysis of the available data and statistics, concluded that the duration allotted for answering the questions at the affected centres and the unaffected centres remained the same in effect. Subsequently, it was averred that no prejudice was caused to the petitioners and that the plea of adverse impact on performance was merely a lame excuse without any factual foundation.

13. Further, it was submitted that the marks secured by the petitioners, as well as by other candidates who appeared at the affected centres, were as high as 600 out of 720 marks, which reflected a very good performance overall. Accordingly, it was contended that no substantial prejudice or disadvantage could be said to be caused to the petitioner-candidates. It was further submitted that, having regard to the extensive scale of the examination, it might be possible that

in certain copies and series, minuscule discrepancies in the sequencing or chronology of questions arose; however, the pattern of the examination and the instructions issued in this regard indicated that no material prejudice resulted, as the question paper was structured in a manner that each question pertaining to the respective science subject was printed distinctly, and each new page of the question booklet commenced with the subsequent question; there was no breakage in any question or the multiple choice options.

14. It was contended that no specific instructions were provided mandating any uniform chronology of questions within the question paper booklet. Learned counsel for the respondents placed reliance upon the ratio encapsulated in *Vanshika Yadav Vs. Union of India & Ors.* [Writ Petition (Civil) No.335/2024], decided on 02nd August, 2024, wherein relief was declined and the prayer stood rejected in favour of the respondent National Testing Agency in a similar factual context. Therefore, maintaining judicial parity the present batch of petitions ought to be dismissed.

#### DISCUSSION AND FINDINGS :

15. Having heard the rival arguments advanced by the learned counsel for all the parties, upon a meticulous scanning of the material available record, have given anxious consideration to the judgments and authorities cited at the Bar and juxtaposing the contentions noted herein above, this Court at the outset is of the following view:

15.1 It stands established on the record that the National Eligibility-cum-Entrance Test (Undergraduate)-2025 was conducted across 5,468 centres within the territory of India on 4 th May, 2025.

15.2 The examination was scheduled and conducted during the time-slot from 2:00 PM to 5:00 PM.

15.3 The question paper was disseminated in multiple series, each comprising questions covering the subjects of Physics, Chemistry, Biology, and other allied disciplines. Moreover, it is an admitted position that each page of the question paper booklet contained a distinct question, and every successive page commenced with the next question in sequence, it is admitted that zilch of the questions had fragmented segment, for instance, the body of question on one page and the multiple choice questions on the other.

15.4 It is further noted from the records that no instructions, notifications, or guidelines were issued by the respondent-NTA instructing that the questions were to be arranged in any chronological, ascending, or descending order. Therefore, in the absence of any prescription of sequence, no inference can be drawn that a particular order was mandated.

16. From the averments made by the learned counsel for the petitioners it is noted that in the present batch of writ petitions, the cause of action is confined to the examination centre located at Sikar, Rajasthan. It was contended that on

account of power failure and outage, prejudice was occasioned in respect of 15 centres, wherein 5,390 candidates appeared. However, it is significant that, out of 31,787 candidates who appeared in the Sikar district and approximately 22 lakh candidates across the country, only 31 candidates have approached this Court by way of the instant writ petitions. In view of such proportion, the principle *de minimis non curat lex*—the law does not concern itself with trifles—would squarely apply. As isolated grievances raised by a statistically negligible number of candidates cannot, by themselves, vitiate a large-scale examination conducted at a PAN-India level.

17. This Court also notes that the power failure admittedly occurred due to storm and rains, which are vis major events—acts of God and is beyond the control of any party. Accordingly, the contention of the petitioners that the respondents ought to have ensured uninterrupted power supply, despite such unforeseen circumstances, is untenable.

18. It further stands established that the examination was held in the summer season on 04th May, 2025, and it is unambiguous that during that time, sufficient natural daylight prevailed until the conclusion of the examination. It is not disputed that the examination centres were adequately ventilated and equipped with windows, ensuring ambient light and proper conditions for examination. It is also demonstrated through data and statistical analysis that a substantial number of candidates from the “affected” centres secured high marks, ranging between 550 and 600 out of 720, thereby clearly negating the allegation of systemic prejudice.

19. The Expert Committee constituted by the respondent authorities duly examined the representations and grievances. It submitted a comprehensive report, wherein a comparative analysis was conducted between the performance of candidates from the affected and unaffected centres. It was found that the average number of questions attempted at both categories of centres was approximately 144, and no material deviation or differential impact was discernible. This Court is, therefore, persuaded to accept the contention of the respondents that no tangible prejudice was caused.

20. The learned counsel for the petitioners further raised an objection concerning the alleged jumbling and non-chronology of the question series. However, upon perusal of the material placed on record, this Court is satisfied that the claim is meritless. The integrated question series was designed to contain questions in varied sequences, and each page concluded and commenced with a distinct question. Moreover, no instruction was ever issued indicating that the questions would follow any specific numerical order.

21. One of the petitioners also urged that stoppage of the wall clock inside the examination hall adversely impacted her performance. However, the attendance sheet produced during the proceedings bears the signature of the petitioner—Ms. Palak Middha, confirming the release of the question paper at 1:53 PM and the

conclusion of the examination at 5:02 PM. The recording of such precise times with invigilator authentication conclusively negates any allegation of prejudice. Moreover, it is nowhere categorically alleged that the examination halls were having only one clock for the candidates, or that the invigilators have conceded the exact time from the candidates. Thence, it is opined that once this foundational plea stands discredited by documentary evidence, the credibility of the entire grievance diminishes.

22. The reliance placed by the petitioners upon certain Frequently Asked Questions (FAQs) and instances of compensatory measures granted in NEET UG-2024 is clearly distinguishable on facts. In those cases, compensatory marks were awarded due to distribution of an incorrect question series, not on account of power outage or force majeure circumstances.

23. It is further noted that in similar factual situations, the Madras High Court in Writ Petition No. 18359/2025 titled as S.Sai Priya Vs. the Union of India and Ors. as well as the Division Bench of the Madhya Pradesh High Court have taken a prima facie view that no material prejudice was occasioned merely due to temporary power interruptions.

24. In the conspectus of the facts, evidence, and legal submissions made by respective counsel for the parties this Court is of a view that the plea made for conducting re-examination as the examination in question i.e. NEET-UG was scheduled and carried out on pan-India basis; nevertheless the grant of bonus marks at the fag end cannot be entertained, since the interest of approximately 22 lakh candidates cannot be sacrificed to provide a remedy to grievances made by handful of candidates, moreover, unsupported by cogent and substantial evidence of prejudice.

25. Accordingly, for the reasons recorded hereinabove, the present batch of writ petitions are found to be bereft of any merits and are hereby dismissed. Pending applications, if any, shall stand disposed of.