

(2018) 09 DEL CK 0174

In the Delhi High Court

Case No : Civil Writ Petition No.6546 Of 2018 & Civill Miscellaneous No.
Appl.24990 Of 2018

Rakshanda Surana

APPELLANT

Vs

Union Of India & Ors

RESPONDENT

Date of Decision : 10-09-2018

Acts Referred:

Constitution of India, 1950 — Article 14, 19, 21

Citation : (2018) 09 DEL CK 0174

Hon'ble Judges : Rajendra Menon, CJ;V. Kameswar Rao, J

Bench : Division Bench

Judgement

RAJENDRA MENON, CJ

1. This petition has been filed in public interest seeking following prayers:

â??(i) Issue writ of Mandamus or any other appropriate writ, order, direction quashing/cancelling NEET UG 2018 examination held on 06.05.2018

conducted by CBSE being unconstitutional violating the fundamental rights of the petitioner, meritorious candidates and citizens of India guaranteed

under Article 14, 19 & 21 of the Constitution of India; and/or

(ii) Issue writ of Mandamus or any other appropriate writ, order, direction to respondent No.2 CBSE to re-conduct fresh NEET UG 2018 examination

for all candidates en-masse in fair, just and transparent manner; and/or

(iii) Issue writ of Mandamus or any other appropriate writ, order, direction to the respondents to do thorough, impartial pan India investigation in

illegalities of NEET UG 2018 examination; and/or

(iv) Issue writ of Mandamus or any other appropriate writ, order, direction to handover the mechanism of conducting the NEET UG 2018 Examination

to any other independent authority other than respondent No.2, CBSE; and/or

(v) Pass any other order or direction as this Honâ??ble Court may deem fit and proper in the facts and circumstances of the present case.â??

2. As far as the directions for cancelling the results and conducting the examination afresh are concerned, even at the time of issuance of notice on

04.06.2018 these prayers were rejected. The results have been declared and the students after declaration of the results are pursuing their career in

accordance with law. That being so, we are not inclined to re-conduct fresh NEET UG 2018 examination in question.

3. As far as the investigation into the irregularity alleged and the investigation by independent agency is concerned, the Special Public Prosecutor, CBI,

Shri Sanjeev Bhandhari has brought on record the status report on behalf of respondent No.2. The Central Bureau of Investigation which goes to

show that an FIR in the matter being RC-DAI-2018-A-0017 dated 06.05.2018 has been registered and the investigation in the matter is in progress.

Certain arrests have been made and after detailed investigation the final charge sheet would be filed in the matter.

4. We see no further reason of keeping the matter pending or making further investigation.

5. With the above observations, the writ petition along with pending application is disposed of.