



IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

THE HON'BLE CHIEF JUSTICE MR. MANOJ KUMAR GUPTA

AND

THE HON'BLE JUSTICE MR. SUBHASH UPADHYAY

SPECIAL APPEAL NO. 352 of 2026

19th August, 2026

Mohd. Shimol Malik

-----Appellant

Versus

Union of India and others

----Respondents

Presence:-

Mr. T. A. Khan, learned Senior Counsel, assisted by Mr. Mohd. Shafy, learned Counsel for petitioner.

Mr. Manoj Kumar, learned Standing Counsel for respondent no.1.

Mr. Yogesh Pacholiya, learned counsel for respondent no.2.

Mr. Shashank Upadhyay, learned counsel for respondent no.3.

JUDGMENT : (per Mr. Manoj Kumar Gupta C. J.)

1. The present *intra-court* appeal is directed against the order of the learned Single Judge dated 05.08.2026, by which the writ petition filed by the petitioner (appellant herein), bearing Writ Petition (M/S) No. 2222 of 2026, has been dismissed.

2. The appellant was a candidate in NEET UG Examination-2026. He was declared unsuccessful in the said examination. The examination was conducted on an OMR sheet. The scanned copy of OMR sheet of every candidate was displayed on website of the National Testing Agency (NTA) and was also sent to the candidates by email. Accordingly, the petitioner had a scanned copy of his OMR sheet, which he annexed with the writ



petition. However, the case set up in the writ petition was that the scanned copy was a result of interpolation and that only left-side of his OMR sheet was the actual scanned copy of the original, whereas the right-side was a manipulation. Accordingly, the appellant filed the writ petition praying for the following reliefs:

“I. To issue a writ, order or direction in the nature of certiorari quashing the OMR Sheet published by the respondents bearing Roll No. 451108003, pertaining to the NEET UG Examination-2026 (Annexure No....., Page.... to.....).

III. To issue a writ, order or direction in the nature of Mandamus commanding the respondents to produce the original OMR Sheet of the petitioner of NEET-UG Examination-2026, bearing Roll No. 4501108003 before this Hon'ble Court and the petitioner may kindly be permitted to peruse the same.

III. To issue a writ, order or direction in the nature of Mandamus commanding the respondents to issue the correct score card to the petitioner after evaluating 160 question attempted by the petitioner in his examination of NEET-UG 2026, on Roll No. 4501108003.

IV. To issue a writ, order or direction in the nature of Mandamus constituting a Special Investigation Team to conduct the investigation in the matter under the monitor ship of this Hon'ble Court as to how the aforesaid illegality has been committed by the respondents, within stipulated time, which may be fixed by this Hon'ble Court and it may also be



directed that a punitive action may also be taken against the Erring Officers by lodging the FIR against them, by constitution a special court for punishing them.

V. To issue a writ, order or direction in the nature of Mandamus directing the respondents to pay an amount of Rs. 1 crore as compensation in favour of the petitioner for mental harassment of the petitioner, by not declaring the correct result in time.

VI. To issue a writ, order or direction in the nature of Mandamus, directing the respondent no. 1 to take departmental action against the Erring Officer and the amount of compensation may be recovered from their salary.

VII. Any other relief which this Hon'ble Court may deem fit and proper, may kindly be awarded in favour of the petitioner and against the respondents.

VIII. Award the cost of the petition in favour of the petitioner and against the respondents."

3. It appears that during the course of hearing of the writ petition before the learned Single Judge, having regard to the case of the appellant, the learned Single Judge directed the NTA to produce the original OMR sheet of the appellant before the Court. In pursuance of the said order, the original OMR sheet was produced in the Court. The order of learned Single Judge indicates that the Court compared the original OMR sheet produced before it with the scanned copy and thereafter,



recorded the following findings:

“4. Pursuant to order passed on 27.07.2026, Mr. Amit Kumar, Joint Director, National Testing Agency, New Delhi produced the original OMR sheet of the petitioner, which contains not only the thumb impression of the petitioner but also signature of the petitioner and name of father and mother of the petitioner. The original OMR sheet produced in Court is exactly the same as the document enclosed as Annexure-5 to the writ petition which was downloaded by the petitioner from the website of NTA, thus there is no discrepancy.

5. Mr. Amit Kumar, Joint Director, NTA submits that copy of OMR sheet was also supplied to the petitioner through email.

6. The original OMR sheet produced in Court was also shown to petitioner’s counsel who thoroughly examined it, but he doubted its authenticity. He also although submits that original OMR sheet produced in Court is not that of the petitioner; however, this Court has no reason to believe the said contention.”

4. Mr. T. A. Khan, learned Senior Counsel appearing for the appellant submitted that the original OMR sheet produced in the Court, was a result of manipulation by Artificial Intelligence.

5. When queried, Mr. Khan accepts that the original OMR sheet bears the signatures of the petitioner. The learned Single Judge after comparing the scanned copy with the original, found them to be identical and no



evidence of any interpolation. Thus, simply on basis of contention that the OMR sheet produced before this Court is a manipulated one, without their being any evidence of manipulation in the original OMR sheet, the contention cannot be accepted, and is devoid of merit.

6. Mr. T. A. Khan, also submitted that the National Testing Agency be directed to produce the carbon copy, but since the original has already been produced in the Court and upon comparison with the scanned copy no difference has been found, therefore, we find no good ground to accept the prayer for a direction to NTA to produce carbon copy of the original OMR sheet.

7. Accordingly, there is no reason to interfere with the order of learned Single Judge. The appeal is accordingly dismissed.

8. Pending application, if any, also stands disposed of.

(MANOJ KUMAR GUPTA, C. J.)

(SUBHASH UPADHYAY, J.)

Dated: 19.08.2026

Kaushal