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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 9902/2015**

PRAKHER GAUSHAL (MINOR)

THROUGH SHARWAN KUMAR

..... Petitioner

Through: Mr. Rajtilak Guha Roy and Mr. Akash
Deep, Advocates

versus

UNION OF INDIA AND ANR

..... Respondents

Through: Mr. Amit Mahajan and Ms. Pallavi
Shali, Advocates

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **19.10.2015**

1. The principal grievance of the petitioner is that respondent no.2 in an examination held for the Scholastic Aptitude Test (SAT) qua National Talent Search Examination 2015, deleted Question no.85 alongwith Question no.23.

2. It is averred by the learned counsel for the petitioner that while deletion of Question no.23 was logical as it had more than one correct answer, there was no rationale in deleting question no.85 as it had only one correct answer in respect of which, admittedly, a mistake had been made by respondent no.2.

2.1 It is submitted that, in so far as the petitioner is concerned, he had given the correct answer, which is demonstrable from the answer

key uploaded by respondent no.2.

3. As indicated above, respondent no.2 deleted both the questions, therefore, the petitioner along with others was evaluated for only 148 questions as against 150 questions which, the petitioner along with other students was initially required to answer in the examination.

3.1 The learned counsel for the petitioner states that the cut-off mark fixed by respondent no.2 was 76.40 and the petitioner obtained 75.77 marks. It is the petitioner's case; had Question no.85 not been deleted, he would have made the cut-off.

3.2 According to me, while from the petitioner's point of view, the action seems harsh but the fact that respondent no.2 across the board deleted both questions, and therefore, the petitioner along with other students were eventually evaluated for only 148 questions, does not in the overall context seem unfair. To my mind, the impugned action of respondent no.2 does not call for interference.

4. The captioned petition is accordingly, dismissed.

RAJIV SHAKDHER, J

OCTOBER 19, 2015

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