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

+ **CONT.CAS(C) 364/2015**

RAJ KUMAR

..... Petitioner

Through: Mr. K.K. Jha, Mr. A.K. Mishra, Advs.

versus

DR SATBIR BEDI

THE CHAIRPERSON CBSE & ORS

..... Respondents

Through: Mr. Sanjay Jain, ASG with Mr. Amit Bansal, Ms. Manisha, Ms. Shreya Sinha, Advs. for R-1 to R-4 with Mr. J.K. Yadav, respondent No.4 in person

Mr. Neeraj Malik, Regional Manager, TCS.

Mr. Arjun Mitra, Adv. for IIT.

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **04.03.2016**

1. Mr. Sanjay Jain, learned Additional Solicitor General present in court on behalf of respondents no.1 to 4 submits that respondent no.4 tenders an unconditional apology. Learned ASG further submits that there was no deliberate or intentional act on the part of the respondents. Learned ASG further submits that the petitioner is appearing for JEE (Main), 2016 being conducted by CBSE on 3rd April, 2016.
2. Respondent No.4, present in person, submits that the respondents shall ensure that such incidents do not happen in future and appropriate paraphernalia shall be maintained to meet such exigencies.
3. Learned counsel for the petitioner submits that the petitioner may be permitted to sit in JEE (Advance), 2016.

4. Mr. Arjun Mitra, learned nominated counsel for IIT submits that as per the rules, the petitioner was eligible to appear for JEE (Advance) in 2014 and 2015.
5. Learned ASG suggests that since the petitioner could not appear in JEE (Advance), 2015 for the reasons beyond his control, as a special case, appropriate directions can be issued by this Court to permit him to appear in JEE (Advance), 2016 subject to he being otherwise eligible.
6. In the peculiar facts and circumstances of this case, the unconditional apology tendered on behalf of respondents no.1 to 4 is accepted. However, it is directed that in the event of the petitioner successfully clearing the JEE (Main), 2016 and otherwise satisfying the prescribed eligibility criteria for JEE (Advance), 2016, he shall be permitted by IIT to sit in JEE (Advance), 2016.
7. It is clarified that this order has been passed in the peculiar facts of this case and shall not be treated as a precedent.
8. The contempt petition is disposed of in the above terms.
9. Copy of this order be given *dasti* to counsel for the parties under the signature of the Court Master.

J.R. MIDHA, J.

MARCH 04, 2016

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