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

+ **W.P.(C) 802/2020**

NANDITA SAILY

..... Petitioner

Through: Mr. Vibhor Bagga with Ms. Esha
Dogra, Advs.

versus

UNION ON INDIA & ORS

..... Respondent

Through: Mr. Sanjeev Sabharwa with Mr. Hem
Kumar, Advs. for R-1/UOI.
Mr. Navdeep Singh with Mr. Rachit
Dhawan, Advs. for R-2.
Ms. Seema Dolo, Adv. for Mr. Amit
Bansal, Adv. for R-3.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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24.02.2020

CM No.7303/2020

1. This is an application seeking condonation of delay in filing a reply to the petition.
2. The period of delay involved is one day.
3. For the reasons stated in the application, delay is condoned.
4. The application is disposed of.
5. The registry will, now, formally take on record the reply.

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6. The principal grievance of the petitioner is that respondent No.2 has across the board granted marks for five questions, which formed part of the entrance examination held for admitting students to the MBA(IB) programme qua academic session 2020-22.

7. The petitioner claims that out of the five questions in issue, she had attempted three questions. It is the petitioner's say that these questions were answered correctly by her.
8. On the other hand, according to the counsel for respondent No.2, there was a problem with the five questions in issue. It is the say of the counsel for respondent No.2 that there were typographical errors in three questions out of the five questions in issue. He further submits that insofar as remaining two questions were concerned, the options given as answers did not include the correct answer.
9. It is in these circumstances, counsel for respondent No.2 submits that a decision was taken via Committee of Experts that every candidate whether or not he/she had attempted the five questions in issue should be given marks qua the same.
10. Counsel for the petitioner says that this action of respondent No.2 in giving marks to all the candidates has impacted the petitioner's interest.
11. It is under these circumstances, the petitioner has impugned the final answer key, which was published by respondent No.3/NTA on 13.12.2019.
12. To my mind, at this juncture, it would not be possible to unscramble an egg, so to speak, the aforesaid narration of facts would show that the petitioner also got benefit qua two questions even though she had not attempted the same in view of the methodology followed by respondent No.2.
13. Thus, having regard to the foregoing, I am of the view that no relief can be granted to the petitioner.
14. The captioned petition is, accordingly, closed.

RAJIV SHAKDHER, J

FEBRUARY 24, 2020/pmc
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