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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.10575 OF 2022

Taneshq Gorraakkh Zendey & Anr.

..... Petitioners

Vs.

The Chairman, JEE (Advanced)
IIT Mumbai & Ors.

..... Respondents

Mr. S. S. Kulkarni I/b. Ms. Pranjal M. Khatavkar for the Petitioners
Mr. Kevic Setwalwad, Senior Advocate a/w. Mr. Aseem Naphade,
Mr.Arjun Mishra, Mr. S. D. Shetty, Ms. Sneha Prabhu, Ms. Shrishi
I/b. M. V. Kini & Co. for Respondent No.1.
Mr. Rui Rodrigues with Mr. Pranav Thakur for Respondent Nos.2
and 3

WRIT PETITION NO.10655 OF 2022

Aryan Gupta s/o. Dr. Ajay Kumar & Ors.

..... Petitioners

Vs.

Union of India & Anr.

..... Respondents

Mr. Niten V. Gaware for the Petitioners
Mr. Rui Rodrigues with Mr. Pranav Thakur for Respondent No.1
Mr. Kevic Setwalwad, Senior Advocate a/w. Mr. Aseem Naphade,
Mr.Arjun Mishra, Mr. S. D. Shetty, Ms. Sneha Prabhu, Ms. Shrishi
I/b. M. V. Kini & Co. for Respondent No.2.

**CORAM: S.V.GANGAPURWALA &
R.N. LADDHA, JJ.**

DATED : SEPTEMBER 8, 2022

P.C.

1 The grievance of the Petitioners appears to be that they faced
enormous problems while answering the questions for IIT JEE

(Advanced) 2022 exam. The examination was held on 28th August 2022 in two sessions. The students could appear in both the sessions.

2 The contention of Mr.Kulkarni and Mr.Gaware, the learned Advocates for the Petitioners is that there were enormous problems faced, such as zoom of the questions was 300%. The questions could not fully appear on the screen. The candidates had to scroll horizontally and vertically and thereby much time was lost. The candidates could not attempt all the questions. The Petitioners before the Court are meritorious students. According to the learned Counsel a complaint was made after the exam was held in the first session so that in the second session the same could be rectified. However, the same problem persisted and no corrective measures were taken by the Respondents. For most of the time, the students were required to keep themselves busy with the mouse so as to adjust the screen to have a complete view of the questions. In fact, the CBT system had collapsed. The grievance was raised with the respective Invigilator, however, none of them paid heed towards the same. Referring to the various clauses in the brochure by the learned Counsel, it is submitted that it was incumbent upon the Respondents to give extra time for the time lost because of the technical glitches. The extra time was not awarded and because of

which the students could not attempt all the questions.

3 According to the learned Senior Advocate for the Respondent - JEE Advance IIT, Mumbai, around 1.60 lacs students appeared for the examination. Only 25 complaints were received. The complaints were also received on 2nd and 3rd September 2022 and not immediately after the exam was conducted. On 3rd September 2022 at 10.00 a.m. the provisional answer key was displayed and thereafter the complaints were received in the afternoon on 3rd September 2022 i.e. after the candidates were convinced that in view of the provisional answer key they may not fair properly. According to the learned Senior Advocate, no illegality appears.

4 The grievance of the students appears to be that they had faced technical glitches while attempting the questions and undergoing the exam. We can understand that the exam would be an important one for the career of the students. The complaints made by the students are also required to be considered by the authority in its all earnestness.

5 It is contended by the Respondents that only 25 complaints were received out of 1.60 lacs students appeared for the examination. As far as the working of the computer is concerned, sitting in Court would not be possible to arrive at a definite

conclusion. The brochure itself provides mechanism for the complaint to be made and the redressal of the same. Clause 33 of the information brochure IIT JEE (Advanced) 2022 exam provides for the redressal of the grievances.

“33. Grievances

All stages of JEE (Advanced) 2022 will be conducted with transparency. Should there be any grievance relating to JEE (Advance) 2022, the candidate must write tot he Organizing Chairman of JEE (Advanced) 2022 for clarification at the addresses given in Annexure-V. The decision taken on such grievances by the Organizing Chairman of JEE (Advanced) 2022 shall be final.”

6 Under the said clause, if there be any grievance relating to JEE (Advanced) 2022 Examination, the candidate may write to the Organizing Chairman of JEE (Advanced) 2022 for clarification. The decision taken on such grievance is final. The Authority, where the grievance is required to be made, would be an expert in the field.

7 Considering the fact that the grievances are raised by the students of JEE (Advanced) 2022 Examination which is an important one for their career, the Authority is required to deal with the said grievances and arrive at an independent conclusion as to the grievances made.

8 It is not disputed that the complaints are received by the said Authority. The Petitioners contend that the same are not yet

decided nor any communication has been made to them.

9 In that event, we direct the decision shall be taken as contemplated under clause 33 of the information brochure JEE (Advanced) 2022 Examination on or before 10th September 2022.

10 It is said that the results may be declared on 11th September 2022. The Authority shall scrupulously look into the grievances of the Petitioners and arrive at an independent conclusion and communicate the same to the complainants.

11 With these observations, the Writ Petitions stand disposed of.
No costs.

(R.N. LADDHA,J.)

(S.V. GANGAPURWALA, J.)