



101
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-14492-2024
Date of decision: 18.06.2024

Kirpapreet Kaur
...Petitioner

Versus

Union of India and others
...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Naresh Jain, Advocate for the petitioner.

Ms. Promila Nain, Sr. Panel Counsel
Advocate for respondent No.1-UOI.

Mr. Arun Gosain, Advocate for respondent No.2.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Article 226 of the Constitution of India for the issuance of a writ in the nature of certiorari to set aside the NEET Examination, 2024 conducted by respondent No.2 and the result declared in pursuance of the same. A further prayer has been made for issuance of a writ in the nature of mandamus directing the respondents to award grace marks to the petitioner.
2. Learned counsel for the petitioner has submitted that the petitioner had appeared in the NEET (UG) Examination which was held on 05.05.2024 at Darshan Academy, Bhamian Kalan, Ludhiana and during the



course of the said examination, it is the case of the petitioner that a total of 20-25 minutes were wasted in the formalities as well as on account of the fact that there was an error in the answer sheet number on the OMR sheet which did not match the test booklet number on the OMR sheet. It is further submitted that on account of the same, the petitioner was not able to attempt 24 questions and regarding the same, an e-mail was sent to the competent authority of respondent No.2-Agency on the very next day i.e. 06.05.2024 and with respect to the same, reference has been made to Annexure P-6. It is also submitted that at this stage, the relief which the petitioner is seeking, is for being permitted to sit in the re-test/re-examination which is going to be conducted on 23.06.2024 for 1563 students and has submitted that at this stage, the petitioner would be satisfied in case the present writ petition is treated as a representation and the final decision on the same is taken by the competent authority of respondent No.2-Agency within a time bound manner and in case, the pleas raised by the petitioner are found to be meritorious, then, to grant necessary relief to the petitioner i.e., permit her to sit in the re-examination which is to be conducted on 23.06.2024, in accordance with law.

3. Learned counsel for respondent No.2 has submitted that the decision on the abovesaid representation would be taken by the competent authority of respondent No.2-Agency on or before 20.06.2024 and in case, the pleas raised by the petitioner are found to be meritorious, then, necessary relief would be granted to her and in case, the pleas raised by the petitioner are not found to be meritorious, then, a speaking order rejecting the same would be passed within the aforesaid period.



4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with the observation that the present writ petition be treated as a representation and the competent authority of respondent No.2-Agency is directed to take a decision on the same on or before 20.06.2024 and in case, the pleas raised by the petitioner are found to be meritorious, then, necessary relief be granted to the petitioner i.e. permit her to sit in the re-examination which is to be conducted on 23.06.2024, in accordance with law and in case, the pleas raised by the petitioner are not found to be meritorious, then, a speaking order rejecting the same be passed within the aforesaid period.

5. This Court has not opined on the merits of the case and the competent authority of respondent No.2-Agency would consider the case of the petitioner independently, in accordance with law.

(VIKAS BAHL)
JUDGE

(SUDEEPTI SHARMA)
JUDGE

18.06.2024

Pawan

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No