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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 8659/2024 & CM APPL. 35429/2024**
PUSHYAM PANDLA AND ORS.

..... Petitioner

Through: Mr. Dhruv Tamta, Mr. Beer Singh
Negi, Mr. Harish Kumar Sharma &
Mr. Amit Kumar Saini, Advs.

versus

UNION OF INDIA AND ORS.

..... Respondent

Through: Ms. Shubhra Parashar, Mr. Virender
Pratap Singh Charak, Mr. Pushpender
Singh Charak, Advocates for
R-1/UOI.
Mr. Naresh Kaushik, Sr. Adv, Mr.
Sanjay Khanna, Standing Adv.
alongwith Ms. Pragya Bhushan, Mr.
Karandeep Singh, Tarandeep Singh,
Advocates for NTA.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
19.06.2024

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1. The present petition has been filed by four petitioners namely, Pushyam Pandla, Drishti, Isha and Arun Yadav.
2. It is contended by the petitioners that they appeared for NEET (UG) 2024 conducted by NTA. Petitioners no. 1 to 3 reported at Vijaya Senior Secondary School and Petitioner no. 4 reported at Hardyal Public School. They were supplied a particular set of question paper and OMR sheet which



was duly filled by them. However, later on, during the middle of the examination, the question paper and OMR sheet were taken away from them and were replaced with the other set of question paper and OMR sheet. This resulted in loss of time for which they had neither been compensated by granting extra time nor they have been awarded any grace marks and therefore, it has been prayed that they may be permitted to appear in the re-test to be conducted by NTA on 23.06.2024.

3. Ld. Sr. Counsel for respondents has appeared through Video conferencing and it has been brought to the notice of the court that NTA has already, in a very comprehensive and elaborate manner, considered all such aspects with respect to all the centres, including the two centres, herein and as per the final report given by Grievance Redressal Committee, there was no loss of time with respect to centre of Vijaya Senior Secondary School. It has been, very fairly, admitted that after the examination process had initiated and set of question paper was distributed, within five minutes, another set of question paper was distributed but for the loss of time, all the candidates of said centre, which were 492 in number, have been duly compensated by giving corresponding extra time. The report of the Grievance Redressal Committee (GRC) with respect to the aforesaid centre i.e. Centre no. 230702 (Vijaya Senior Secondary School) is as under:-

B. Centres No. 230702 (Vijaya Sr. Secondary School) wherein 492 candidates appeared

- a) The Centre personnel distributed both the Series i.e. “QRST” from SBI and “MNOP” from Canara Bank.
- b) As per the Report of the Centre Superintendent and the Observer deputed at 230702, it has been submitted that extra time was allotted to the



candidates.

c) The same has been substantiated by the CCTV footages, which reveals that at around 14:12 hrs, the first set of QPs were distributed and then within 5 minutes, another set of QPs were also distributed. Thereafter, at around 14:22 hrs, the candidates were retained with only one set of QP and the same were collected at 17:51 hrs.

d) All candidates at the Centre: Vijaya Sr. Sec. School, including the 4 candidates in W.P. 7667 of 2024, attempted the Examination in 3 hrs 27-29 minutes/207-209 minutes, as against 200 minutes stipulated period of the examination.

e) The records and Reports are clear that the candidates were allotted 7-9 minutes extra time than 3 hrs 20 minutes (equal to 200 minutes 12000 seconds). Therefore, the Committee concludes that there has not been any loss of exam time for the 492 candidates at the Centre: Vijaya Sr. Sec. School (Centre No. 230702).

4. Mr. Kaushik, Ld. Senior Counsel has also informed that such report of GRC was duly submitted before the Hon'ble Supreme Court in WP(C) 366/2024 and such report has been accepted by the Hon'ble Supreme Court. Thus, according to learned counsel for respondent, the grievance raised by said three petitioners is totally misplaced as they were duly compensated by granting extra time.

5. However, with respect to petitioner no. 4, it has been submitted by Mr. Kaushik that as per the instructions received by him, petitioner no. 4 has been granted grace marks and in terms of the directions given by the Hon'ble Supreme Court in said writ petition, he is now permitted and eligible to reappear in the test to be conducted on 23.06.2024.

6. This Court is conscious of the fact that Hon'ble Supreme Court is already seized of issue qua NEET examination. However, as fairly agreed by



both sides, present petition is on a different footing.

7. The report of GRC is very specific and there is nothing to indicate that petitioners no. 1 to 3 are entitled to appear in re-test. They cannot be permitted to raise any grievance as they were given corresponding extra time.

8. Finding no merit or substance, the present petition stands dismissed.

MANOJ JAIN, J
(VACATION JUDGE)

JUNE 19, 2024/ni