

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14173 of 2025

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Shailja Sinha D/o- Ajay Kumar (Father), Sharmila Kumari (Mother), Resident of Village- Jamunapur, P.O- Kairi Meyar, P.S.- Noorsarai, Distt- Nalanda- 803118.

... .. Petitioner/s

Versus

1. The Union of India through its Secretary, Department of Higher Education, Government of India, New Delhi.
2. The Additional Secretary, Department of Higher Education, Government of India, New Delhi.
3. The Chairperson, National Testing Agency, New Delhi.
4. The Member Secretary, National Testing Agency, New Delhi.
5. The Medical Counselling Committee (MCC), through Directorate General of Health Services (DCHS), Ministry of Health and Family Welfare, Government of India, New Delhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Waliur Rahman, Advocate
		Mr. Nishant Kumar Sinha, Advocate
For the Resp-UOI	:	Mr. Rakesh Kumar Sinha, Advocate
For the Resp-NTA & MCC	:	Ms. Chhaya Kirti, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 23-12-2025

Heard learned Advocate for the respective parties.

2. The petitioner is a candidate eligible for appearing in the medical entrance exam, having obtained the provisional admit card appeared in NEET (UG) 2025 under the category of OBC–NCL (Central List). On being dissatisfied and aggrieved with the action of the respondent authorities, the petitioner has invoked the jurisdiction of this Court seeking a direction upon them to ensure her admission in the MBBS course on the basis



of the first score card, wherein she obtained total marks of 624 out of 720 and got NEET All India Rank 315.

3. It is the case of the petitioner that after having obtained the due provisional admit card, she appeared in NEET (UG) 2025 held on 04.05.2025. Undergoing the examination successfully through OMR answer sheet bearing No. 115332710, the petitioner downloaded the score card from the official website and secured 624 marks out of 720 having allotted All India Rank 315 and 19 under the category OBC-NCL (Central List). In pursuance of the notification and the counselling held through online on 07.08.2025, the petitioner submitted her six choices of colleges commensurate with her score and marks. The choices were locked immediately after the counselling was duly completed. The petitioner came to know that she had been allotted an open-seat quota in AIIMS Jodhpur, which was beyond her choices given during counselling. She immediately raised an objection through email stating that she has been allotted a college beyond her choices even after securing All India Rank 315 and despite belonging to the OBC category. While the petitioner was awaiting response to her email, she again got a surprise on receiving a changed score card wherein she has been allotted only 152 marks out of 720



with All India Rank 1049614. The petitioner immediately rushed to the concerned authority but, to her utter dismay and surprise, she was supplied with an OMR sheet which showed different from the earlier OMR sheet in comparison to the earlier one.

4. Being aggrieved with the action of the respondent authorities, the petitioner has approached this Court.

5. Mr. Waliur Rahman, learned Advocate for the petitioner, submitted that the OMR sheet and the score card were obtained by the petitioner through official website of the NTA, based upon which she was allowed to appear and participate in the counselling and accordingly furnished her choices. Surprisingly, not only the petitioner has been allotted a seat beyond her choices filled during counselling, but once the authority received her objection, a second subsequent score card and OMR sheet were delivered to her awarding only 152 marks out of 720 with All India Rank 1049614 declaring her not eligible. Once it is accepted, for the time being, that the first score card and OMR were manipulated, then how it could have been recognized by the official website of the NTA and a college allotted after due counselling. Hence, it is the contention of the learned Advocate for the petitioner as to whether it is not



possible that manipulation in the website is resultant on the part of the authority to deny her rightful claim in order to extend some undue benefit to others.

6. Referring to Annexures- P/4 and P/5 to the writ petition, learned Advocate for the petitioner submitted that from the score card and the choices filled up by the petitioner during counselling, there is not an iota of suspicion that any manipulation has been made at the level of the petitioner, who was a *bona fide* student for NEET (UG) 2025. If any mistake has occurred on the part of the concerned authority, the student ought not to suffer, and hence an allotment of a college of her choice commensurate with the marks she obtained and her All India Rank, as furnished at the initial stage, should be made.

7. A counter affidavit has been filed on behalf of respondents no. 3 and 4, duly sworn by the Director, National Testing Agency, New Delhi.

8. Ms. Chhaya Kirti, representing the afore-noted respondents, has categorically submitted that the petitioner has cleverly manipulated and forged the said score card and changed the digits before the decimal point leaving the post-decimal digits as in the original score card. Upon minute verification of the forged score card, it appeared that the petitioner has made an



attempt to change the digits for the respective subject scores and also the total marks obtained as “624”, whereas her original total score obtained is “152”. It is further submitted that a score card reflects percentile up to seven digits post decimal only to ascertain the exact rank of a candidate, and in no possibility two candidates have the same rank having different scores. In fact, one Darshan Mahadev Mule has been ranked at 73 as his All India Rank, and 19 as his OBC category rank on account of having secured 651 total marks, and therefore, in no circumstance, the petitioner, who claims to have secured less marks, can be placed as equal position in terms of rank. Moreover, another candidate, namely Shivansh Mittal, placed at All India Rank 315, has actually secured 626 total marks, which is again more than the marks claimed by the petitioner. Therefore, the same rank in different score cards is highly improbable and not reliable. Further on 15.06.2025 itself, as per the mandate, the official record of the petitioner as uploaded on the NIC server was also shared to her given registered email ids (shailjasinha803118@gmail.com and shailjasinha803101@gmail.com) the attached score card shows the original marks obtained as 152 and All India Rank as 1049614.

9. Referring to the aforesaid fact, Ms. Chhaya Kirti,



learned Advocate for the respondents no.3 and 4, further submitted that it is evident that the score card furnished by the petitioner is a fabricated one and not genuine. In order to clarify the position, it is further submitted that NIC which is responsible for hosting NTA's examination data, has also categorically confirmed that the scanned copy of OMR and candidate response as obtained from NTA was displayed on portal on 3rd June 2025. The OMR and response of the aforesaid candidate was uploaded on NIC server only once. The OMR sent to the candidates' email and the one displayed to the candidates on the examination portal is the same as provided by NTA. There is no change in the score card data since uploaded as per record available in database server. Hence the OMR annexed by the petitioner is not the same as the official OMR as saved and kept in NTA's records. The official OMR reveals that the petitioner has attempted 168 questions, out of which 64 were correct (256 marks) and 104 incorrect (-104 marks), thereby making the total score 152 marks.

10. The copies of the original score card and the score card of the candidate, who secured 19th rank under the category OBC-NCL (Central List) and the candidate, who secured 315 All India Rank have also been placed on record to support the



contention raised before this Court. It is vehemently contended that it is a clear case of interpolation and an attempt to take unfair advantage by producing fabricated records and thus appropriate action should be taken against the candidate or the person who are responsible for such misdeed. While concluding the argument(s), it is submitted that the petitioner has raised disputed questions of facts which cannot be adjudicated in writ proceeding.

11. This Court has heard the learned Advocate for the respective parties at length and also perused the materials available on record.

12. Undisputedly, the National Testing Agency has been established as an autonomous body of Government of India in May 2018 by the Ministry of Human Resources Development (MHRD), now Ministry of Education, Department of Higher Education, to conduct entrance and fellowship examination for admission to higher educational institutions. Any allegation of manipulation at the hands of the authority of the NTA, cannot be accepted in absence of any cogent materials to support such allegation. The integrity of the NEET and a body like NTA, which is entrusted an immense responsibility to conduct examination in relation to highly important competitive



examination, cannot be suspected unless there is a failure on their part at a systematic level.

13. Undisputedly, the obligation to conduct free and fair admission/professional examination is fully vested in the State Government and the Commission/Agency entrusted for the same. But at the same time, if a candidate who indulges in unfair and fraudulent means during the public examination cannot be allowed to reap benefit of the wrong because of the fortuitous situation of that fraud has been unrevealed by the concerned authority after declaration of result of the examination or for that matter inaction of the officials/authorities in acting with dispatch.

14. The Court is also conscious of the fact that while exercising the power of judicial review under Article 226 of the Constitution of India, the finding of examining body regarding fraud or interpolation cannot be interfered with in a casual manner unless there is manifest error in the decision-making process and/or the finding of the authorities is highly improbable where no prudent person can reach to such conclusion or it is based on extraneous consideration, or the authority failed to consider the relevant materials available on record to reach such conclusion.



15. Coming to the case at hand, it is evident that the official record of the petitioner as uploaded on the NIC server had already been sent to her on her registered email IDs on 15.06.2025 itself, as noted hereinabove, with the attached score card showing original marks obtained as 152 with the AIR as 1049614. But at that point of time, no objection was raised. The petitioner, claiming herself to have secured 624 marks out of 720 with OBC-NCL (Central List) category rank 19 and the All India Rank 315. But the candidate who secured OBC-NCL (Central List) category rank 19 has secured 651 marks and his All India Rank was 73. Simultaneously, the person who secured 315 All India Rank secured 626 marks and as such, the claim of the petitioner that she secured 624 marks with All India Rank 315 and category rank 19 does not appear to be *prima facie* correct. The NIC, which is hosting NTA examination data, has categorically confirmed that the OMR sent to the candidate's email and the one displayed to the candidate on the examination portal is the same as provided by NTA and the score card email was sent to the candidate's email and parents'/guardian email with a copy to NTA, which clearly confirms no change and shows the original marks obtained as 152 with the AIR 1049614.



16. In course of hearing, the learned Advocate for respondents no. 3 and 4 has also also furnished a copy of Registration/Candidate's counselling history wherein it is found that she had also given consent to participate in the second round of counselling on 08.09.2025, which *prima facie* reflects her choices were not accepted because of the reason of some discrepancies, necessitating an elaborate enquiry.

17. This fact can also not be ignored as it is specifically stated that the score card and the OMR sheet annexed by the petitioner as Annexures-P/3 and P/4 respectively are manipulated and do not correspond with the official records of the answering respondent, which is duly supported by verification from the National Informatics Centre. It is specifically asserted by the NTA that the petitioner has made an attempt to change the digits from the respective subject score and also the total marks obtained as 624, whereas her original total score obtained is 152, which has made great difference in her category rank in order to secure admission by unfair means.

18. This Court is *prima facie* satisfied that there appears to be some discrepancy or manipulation in the marks/score card furnished by the petitioner, as the QR code furnished therein does not tally or match with the QR code of the official



site of the NTA. Upon scanning the original QR code of the score card, there is no uncertainty that the petitioner has secured only 152 marks with All India Rank 1049614.

19. Notwithstanding the aforesaid facts as noted hereinabove, this Court does not find it apt and proper to make an observation purely on the merit of the case, which may affects and cause prejudice to the career of the petitioner in future; besides there has been allegations of forgery and manipulation which raise highly disputed facts requiring evidence and forensic examination, which this Court finds to be issues not to be adjudicated in writ jurisdiction.

20. Finding no illegality or any wrong on the NTA’s part and no basis to doubt NTA’s records, this Court dismiss the writ petition observing that the petitioner may pursue appropriate remedy before a competent court or authority, if still so advised.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27-12-2025
Transmission Date	

