

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

WRIT PETITION NO. 3649 OF 2025

Shantanu Bhopale

...Petitioner

Versus

1. The Union of India through the Department of
Higher Education

2. The Director General,
National Testing Agency, New Delhi

...Respondents

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**WITH
WRIT PETITION NO. 5574 OF 2025**

Shantanu Bhopale

...Petitioner

Versus

1. The Union of India through the Department of
Higher Education

2. The Director General,
National Testing Agency, New Delhi

3. The Organizing Chairperson
JEE (Advanced) 2025, IIT, Kanpur

...Respondents

Mr. Ranjit Bhosle a/w Dr. Prashant Mali and Ms. Smita Gaidhani, Advocate for the Petitioner in both petitions.

Ms. Gargi Warunjikar, Advocate for the Respondent No.1/UOI in WP/3649/2025.

Mr. Neel Helekar a/w Ms. Gargi Warunjikar, Advocate for the Respondent No.1/UOI in WP/5574/2025.

Mr. Rui Rodrigues a/w Mr. Jainendra Sheth, Advocates for the Respondent No.2 in both petitions.

Mr. Arsh Misra for Respondent No.3 in WP/5574/2025.

**CORAM : A.S.CHANDURKAR AND
M.M. SATHAYE, JJ.**

DATE : 2nd MAY 2025

JUDGMENT (Per M. M. Sathaye, J.) :

1. Heard learned counsel for the parties.
2. The Petitioner is an IIT aspirant student who has appeared for 1st and 2nd sessions of JEE (Mains) examination this year. He has filed both petitions. In WP/3649/2025, he has approached this Court seeking direction to Respondent No.2 ('NTA' for short) to issue rectified/corrected score card showing percentile of 99.5193354 and update/display the Petitioner's rank accordingly. In WP/5574/2025, he is seeking direction to Respondent No.2 - NTA to issue corrected/rectified score card after deleting the remarks "UFM" and "debarred for 2025-26 and 2026-27" and issue score-card on the basis of questions answered by him. A further direction is also sought for independent expert Government Authority to evaluate Petitioner's answer-sheet and to conduct enquiry and take action against persons found responsible for the discrepancies, if required. A further prayer is made to declare that the Petitioner is eligible to appear for JEE (Advanced) Examination 2025 and to permit the Petitioner to fill in necessary application for said advanced examination.
3. The case of the Petitioner, as submitted by his learned counsel Mr. Bhosale, is as under. That Petitioner is a meritorious student who has appeared for 1st session of JEE (Mains) Examination on 24.01.2025. The Petitioner claims to have given 54 correct answers, 9 wrong answers and 12 questions kept unattempted and therefore, as per Petitioner's response sheet and answer key, he has secured 207 out of 300 marks. That on the date of result - 11.02.2025, when the Petitioner downloaded his score-card, his percentile was shown 99.5193354. However, after an hour or so, when the Petitioner visited the NTA website, he was shocked to see his score-card was

showing the result with much reduced percentile of 83.3493354. Thereafter, he communicated with Respondent No.2 on email on 12.02.2025 explaining how he has attempted the questions and requested for corrected score-card. The Petitioner, thereafter, send many reminders. On 21.02.2025, Respondent No.2 responded by sending an email to the Petitioner informing that the percentile shown in his score card has been verified and found correct.

4. It is submitted that there is discrepancy in evaluation of the Petitioner's answer-sheet, which is clear from two different score-cards produced by the Petitioner. During pendency of WP/3649/2025, the Petitioner appeared for 2nd Session of JEE (Mains) Examination on 03.04.2025. In WP/5574/2025, the Petitioner has additionally impleaded Respondent No.3 as party, who is organising JEE (Advanced) Examination-2025 this year. It is submitted that the Petitioner may be permitted to appear for JEE (Advanced) Exam.

5. Mr. Rodrigues, learned Counsel for the Respondent No.2 (NTA) has opposed the petition by submitting that this is the case where the Petitioner has indulged in manipulation and fabrication of document of scorer-card and for the said reason, the concerned Committee has taken a decision of debarring the Petitioner for 2025-2026 and 2026-2027 and his score-card is shown with endorsement 'UFM', which means 'a case of unfair means'. He has relied on clause 5.5.1(h) & (r) of JEE (Mains) 2025 Information Bulletin and submitted that the Petitioner is liable for offence punishable under Public Examination (Prevention of Unfair Means) Act, 2024.

6. Inviting our attention to Affidavit-in-Reply on behalf of Respondent No.2, filed by the Director of NTA, he submitted that score- card relied by the Petitioner as showing percentile of 99.5193354 is manipulated, forged and

fabricated and not as per the record of NTA. It is clearly stated in the affidavit in reply that there is no practice of issuing 'Sample Result' as appearing on the alleged score-card relied upon by the Petitioner. He submitted that the score-card in question is not downloaded from NTA Website. He submitted that the case of the Petitioner has been objectively considered and the answer-sheet of the Petitioner and the answer key is produced on record. Inviting our attention to Exhibit-E to the reply, he has pointed out from a question-wise-chart showing various questions which are either not answered by the Petitioner or answer available uploaded on NTA portal not matching with answers as claimed by the Petitioner. He submitted that this year, the examination of 1st session on JEE (Mains) was conducted pan india in 618 centres in 304 cities and as many as 12,58,136 students appeared and there exists no reason that Respondent No.2 would manipulate score card of a particular student such as the Petitioner. He submitted that Respondent No.2 has encountered similar cases of aspirants under pressure, who approach the Courts with wild allegations. He submitted that this is not a fit case to interfere and there are various disputed questions of fact involved in the matter. He has relied upon the Judgments of **Vibhuti Negi v/s. National Testing Agency and Anr. of Delhi High Court [W.P. (C) No. 5172/2024 order dated 03.06.2024]** and **Selishia Mohandas v/s. Union Of India [W.P (C) No. 10089/2023 order dated 11.08.2023]** and **the Maharashtra State Board of Secondary and Higher Secondary Education and Anr. v/s. Paritosh Bhupesh Kurmarsheth [AIR 1984 Supreme Court 1543]** in support of his case.

7. The learned Counsel Mr. Mishra appearing for Respondent No.3 in WP/5574/2025, relied upon JEE (Advanced) 2025 Information Brochure and pointed out that even if according to the Petitioner the Petitioner has secured marks beyond a particular score which makes him eligible to appear for JEE (Advanced), that itself will not make the Petitioner eligible, because under the

applicable Rules, the eligibility criteria is that the candidate should be among top 2,50,000 successful candidates of JEE (Mains) examination. However in the present case, the Petitioner's JEE (Mains) score-card, as it stands, shows his score as UFM, meaning thereby that the Petitioner has indulged into unfair means practices and therefore, it is not possible to permit him to register for JEE (Advanced) Examination within Rules.

8. We have considered the rival submissions and perused the record with the assistance of the learned Counsel for the parties.

9. At the outset, it is noted that the score-card relied upon by the Petitioner as a basis for his whole contention, is apparently a score-card conspicuously showing 'Sample Result' printed across it. According to the clear stand taken by Respondent No.2, there is no such practice of issuing Sample Result. We have no reason to disbelieve NTA. It has no reason to single out the Petitioner from among lakhs of students who appeared.

10. Relying on a document showing properties of the score-card-pdf in question, at page 176, it was argued that the score-card in question is not tampered. On close inspection of the said document, we noted that the score-card-pdf in question was created on 11.02.2025 at 21:37:15 and score-card-print-out relied upon by the Petitioner itself shows 2 time stamps, one of '2/11/25, 9:32 p.m. at top-left corner' and another of '11/02/2025 17:02:39 at bottom right corner'. Both these date/time stamps are apparently prior to creation of the document. It is therefore clear that document of score-card-pdf relied upon the Petitioner was apparently not even created when it is said to have been available with the Petitioner. We are not imputing any ill-intention to the Petitioner or his parents. But these aspects raise serious doubts. A couple of print-outs showing similar score-cards with 'Sample

Result' endorsement are also produced and relied upon by the Petitioner. Also, certain online discussion forum speaking about discrepancies in JEE (Mains) 2025 result are also relied upon. We note that such arguments as well as the score-card in question, being within realm of disputed questions of fact, it is not possible for us to adjudicate in the writ jurisdiction. Suffice to say that this is not a case which clearly shows Petitioner's score as claimed.

11. With today's technology available at hand, when we noted that the score card is 'QR-code-verifiable', we verified the QR Code on the score-card-pdf relied upon by the Petitioner and it did not indicate his marks as 99.5193354. In fact, it showed his percentile as 83.3493354. In our view, this puts at rest the dispute as raised by the Petitioner, at least for the purpose of this petition. We must mention that the very intention behind making the documents 'QR-code-verifiable' is to verify whether the contents ostensibly appearing in a given document is as per official record or not. The score-card-pdf relied upon by the Petitioner has failed the QR-code-validity test.

12. An Attempt was made to invite our attention to individual questions and answers attempted by the Petitioner. In the facts and circumstances of this case, we are of the opinion that Writ Court should not enter into the exercise of assessing individual marks given to questions or compare it with model answer papers etc. and it is best left to the experts. That is the job of the testing agency and with NTA handling the said job for lakhs of students every year, no exception is required.

13. In the judgment of **Vibhuti Negi (supra)** relied upon by NTA, High Court of Delhi has in similar situation declined to enter into 'dense factual thicket' as observed in paragraph 36 thereof. Also, in **Selishia Mohandas (supra)**, the said High Court has referred to Section 114 of the Indian Evidence

Act, 1872 to presume in favour of the record produced by NTA. This is no different case.

14. In the aforesaid facts and circumstances, there is no question of issuing any direction or writ of mandamus to Respondent No.2 for correction of Petitioner's score-card or marks therein or to permit the Petitioner to appear for JEE (Advanced). We decline to interfere.

15. However, we are informed by the learned Counsel for the Respondent No.2 that the concerned Committee of NTA has already debarred the Petitioner from JEE (Mains) exams for 2025-26 and 2026-27. Considering that the Petitioner is a young student having his educational endeavors at stake, he is at liberty to adopt appropriate proceedings to challenge his debarment or file representation to seek re-consideration of debarment. If any such proceeding or representation is filed, the same shall be decided in accordance with law and applicable Rules. Contentions on merits in that regard are kept open.

16. Both the Writ Petitions are disposed of in above terms with no order as to costs.

17. All concerned to act on duly authenticated or digitally signed copy of this order.

(M.M. SATHAYE, J.)

(A.S.CHANDURKAR, J.)