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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% *Judgment Delivered on: 28.05.2025*

+ W.P.(C) 6854/2025 and CM APPL. 31051/2025

MS. SADHANA YADAV

.....Petitioner

Through: Mr. Vinayak Goel and Mr. Alexander Mathai, Advocates.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Anil Kumar Saxena, SPC with Mr. Rajender Rawat, Govt. Pleader.

Mr. Om Prakash, SPC with Ms. Swati Misra, Mr. Chandresh Pratap, Mr. Nitish Pande, Mr. Sarthak Udaipuria and Mr. Amish Kumar, Advocates for R3.

Mr. Sanjay Khanna, Standing Counsel with Ms. Pragya Bhushan, Mr. Tarandeep Singh and Ms. Vilakshana Dayma, Advocates for NTA.

Mr. Avinash Singh and Mr. Amit Bhardwaj, Advocates for R4.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

JUDGMENT

VIKAS MAHAJAN, J (ORAL)

1. The present petition has been filed by the petitioner seeking following reliefs:

“A. Issue a Writ of mandamus directing the Respondents to provide the Petitioner another slot for appearing in the CUET (UG) in the current 2025 academic year; and

OR



Issue a Writ of mandamus directing the Respondents to conduct a re-test for the Petitioner and other like students candidates; and

B. Issue a Writ, Order or Direction declaring Rules 7.5 and 8.9 of the Information Bulletin, 2025 as ultra vires the Constitution or other invalid in law”

2. The case set out by the petitioner in the present petition is that after successfully clearing her Senior Secondary Examination conducted by the CBSE, petitioner applied for Common University Entrance Test [hereinafter referred to as ‘CUET (UG)’], which is conducted by the respondent no.2/NTA.
3. The petitioner’s CUET (UG) exam was to be held on 13.05.2025. As per the admit card, the reporting time at the Centre was 7 am and the Gate closing time of Centre has been mentioned as 8.30 am sharp.
4. The case of the petitioner is that petitioner reported at the Centre at 8.36 am, and for the said reason she was not allowed to enter the examination hall.
5. Mr. Vinayak Goel, learned counsel appearing on behalf of the petitioner invites attention of the Court to the Information Bulletin of CUET (UG) [‘information bulletin’, in short], more particularly to Clause 8.2 thereof, to contend that there is no provision in the information bulletin which provides that the candidate will not be permitted to enter the examination centre in case he/she reports after the gate closing time mentioned in the admit card.
6. He submits that the said instructions in Clause 8.2 only cautions the candidate that in the event of petitioner reaching late, he/she is likely to miss some of the important instructions.
7. He further refers to the information bulletins of NEET (UG)-2025 and



Common Management Admission Test 2023, which tests are also conducted by the National Testing Agency, to submit that the said information bulletins specifically provides that the candidate who would report late will not be permitted to enter the examination hall, which clause is conspicuously absent in the information bulletin of CUET (UG)-2025.

8. He places reliance on the decision of the Coordinate Bench of this Court in ***Vipin Kaul v. Central Board of Secondary Education and Ors., (2002) SCC OnLine Del 778*** to contend that this Court in similar circumstances had directed for increasing time limit after holding that no student would intentionally come late. Reliance has also been placed on yet another decision of the Coordinate Bench of this Court in ***Master Mohammad Akram Khan v. Jamia Senior Secondary School and Ors., 2011 SCC OnLine Del 357***.

9. He further contends that the exams are still going, and urges the Court that necessary direction may be given to the respondents to allow the petitioner to take her CUET (UG) Exam in any other slot/shift of academic year-2025.

10. *Per contra*, Mr. Sanjay Khanna, learned counsel appearing on behalf of the respondent/NTA invites attention of the Court to Clause 8.1 of the information bulletin to contend that candidates have been advised to report at the examination hall well in time i.e. 02 hours before the commencement of the exam.

11. Referring to the admit card, Mr. Khanna submits that reporting time has been clearly mentioned as 7 am. Further, Gate Closing Time has also been stated in the admit card as 8.30 am sharp.

12. He also draws attention of the Court to the important instructions



indicated in the admit card (Annexure R2/4) viz., instruction no.1, which provides that candidate must reach Centre at the time as indicated on the admit card against the Reporting/Entry time at the Centre. The instruction no.4 also categorically states that no candidate shall be permitted to enter the Examination Centre after the Gate Closing Time. The instruction nos. 1 & 4 are reproduced herein below for ready reference:

“1. The candidate must reach the Centre at the time as indicated on the Admit Card against Reporting/Entry time at the Centre.

XXXXX

XXXXX

XXXXX

4. No candidate shall be permitted to enter the Exam Centre after the Gate Closing Time.”

13. Mr. Khanna has also drawn attention of the Court to the screenshots of the CCTV footage, which have been annexed as Annexure R2/6, to contend that it is evident from the same that all the candidates who reported after the closure of Gate were not permitted to enter the examination hall. He, therefore, contends that the timeline mentioned in the admit card is sacrosanct and the same cannot be relaxed.

14. Having heard learned counsel for the parties, the short questions which arise for consideration is whether the petitioner could have been allowed to enter the examination hall after the Gate Closing Time closed and whether she could be accommodated in another slot as urged by the learned counsel for the petitioner.

15. For exploring the answer to above questions, reference to the following Clauses 6.2 and 6.3 of Chapter-6 entitled ‘Admit Card’ in the information bulletin is imperative, which reads as under:

6.2 The candidate has to download the Admit Card from the NTA website. The candidate will appear in the examination at the given Centre on the date and shift/timing as indicated in



his/her Admit Card.

6.3 No candidate will be allowed to appear at the examination Centre, on the date and shift/time other than that allotted to him/her in his/her Admit Card.

(emphasis supplied)

16. Similarly, Clauses 7.1 to 7.5 under Chapter-7 ‘Schedule of Examination’, as provided in the information bulletin, are also relevant, which reads as under:

7.1 The examination may be held on multiple shifts, depending on the number of candidates and their combinations.

7.2 The duration of the each paper will be of 60 minutes.

7.3 Though the tests are scheduled in multiple shifts, as the case may be, each test within each shift is distinct and independent of the other.

7.4 However, the allotment of candidates to the Shift will be based on the options exercised and technical and administrative considerations.

7.5 Admit Cards will be issued for the course(s) opted by him/her. No request for a change of date or /shift will be entertained.

7.6 Candidates have to report for the slot/s as per the time stated in their respective Admit Cards.”

(emphasis supplied)

17. Likewise, Clauses 8.1 and 8.2 under Chapter-8 ‘Important Instructions for the Candidates’ read thus:

8.1 Candidates are advised to report at the Examination Centre well in time i.e. 02 hours before the commencement of the examination.

8.2 Candidates should take their seats immediately after the opening of the Examination Hall. If the candidates do not report in time due to any reason i.e. traffic jam, train/bus delay, etc, they are likely to miss some of the important instructions to be announced in the Examination Rooms/Halls. The NTA shall not



be responsible for any delay.

(emphasis supplied)

18. As per Clause 6.2 the candidate has to appear in the examination at the given Centre on the date and timing as indicated in his/her Admit Card. Clause 6.3 provides that the candidate will not be allowed to appear at the examination Centre, on the date and time other than that allotted to him/her in his/her Admit Card. Clause 7.6 also reiterates that candidates have to report for the slot/s as per the time stated in their respective admit cards. In view of the clauses 6.2, 6.3 and 7.6 of information bulletin, the time and instructions mentioned in the admit card assumes relevance and will be read as part and parcel of the information bulletin.

19. The admit card which was issued to the petitioner clearly indicates that the reporting time for the candidate is 7 am whereas the Gate closing time has also been stated as 8.30 am sharp. Besides that, the important instructions for candidates on the Admit Card in unambiguous terms provide that candidate must reach the Centre at the time indicated on the admit card and further cautions that no candidate shall be permitted to enter the examination hall after the Gate Closing Time.

20. In that view of the matter, the petitioner is bound by the time indicated in the admit card and the instructions mentioned therein. Therefore, contention of the petitioner that the information bulletin, more particularly Clause 8.2 thereof, does not specifically mention that the candidate will not be permitted to enter the examination hall after the Gate Closing Time, is misconceived. In fact, Clause 8.1 of the information bulletin also lays emphasis that the candidates should report at the Examination Centre well in time i.e. 02 hours before the commencement of the examination. Likewise, Clause 8.2 advises the candidates to take their



seats immediately after the opening of the Examination Hall.

21. As regards petitioner's reliance on the information bulletins of NEET (UG)-2025 and Common Management Admission Test 2023, to be noted that since on a conjoint reading of information bulletin and the admit card, there is no ambiguity that a candidate cannot be permitted to enter the examination hall after the Gate Closing Time, therefore, no assistance from the aforesaid external sources¹, for the purpose of interpretation of the clauses of information bulletin for CUET (UG) – 2025, is called for.

22. In so far as contention of the petitioner that she should be adjusted against another slot, is concerned, suffice it to note that in view of clauses 7.4 and 7.5 of the information bulletin, the allotment of candidates to the Shift is based on the options exercised as well as on technical and administrative considerations, and no request for a change of date or shift can be entertained.

23. At this juncture, reference to para 15 of the counter affidavit can also be made, wherein the respondent no.2/NTA has given justification as to why the petitioner cannot be permitted to appear in the shifts other than the shift originally allotted to her. Para 15 reads thus:

“15. That it is further submitted that permitting selective rescheduling of candidates to let them appear in the shifts other than the shifts which were originally allotted to them but missed by the candidates would lead to an unequal distribution of candidates across different shifts, thereby affecting the normalization procedure. The fairness and accuracy of the normalization process relies on an equitable distribution of candidates across all shifts. Any deviation from this principle may compromise the integrity of the examination and its merit-based evaluation.”

24. That apart, there is no provision in the Information Bulleting

¹ Information Bulletins of – (i) NEET (UG)-2025; and (ii) Common Management Admission Test 2023



providing for accommodating a candidate in any other shift / slot other than the allotted shift / slot. If any relaxation is to be allowed, such relaxation must find mention in the information bulletin. The rules cannot be tweaked for one candidate owing to some difficulties faced by such candidate, *albeit* for no fault of his/her. Therefore, the Court cannot direct the respondents to allow the petitioner to take her CUET (UG) – 2025 exam in any other shift / slot.

25. It is also trite that the procedure prescribed in the prospectus/bulletin of information issued by institution is binding on all concerned and no mandamus can be issued directing the educational institution to act contrary to their own procedure.²

26. Now, the decisions relied upon by the petitioner may also be adverted to. The petitioner has sought to rely upon the decisions of this Court in **Vipin Kaul** (supra) and **Master Mohammad Akram Khan** (supra) in support of his case. Both the judgments do not advance the case of the petitioner, in as much as they were passed under the circumstances wherein the petitioners therein had sought exemption for appearing late/not appearing in the respective exams due to medical exigencies.

27. Further, in **Master Mohammad Akram Khan** (supra), the relevant rules provided for exemption on medical grounds if the student supported the leave sought with a medical certificate. In this backdrop, the petition was disposed of in favour of the petitioner.

28. In **Vipin Kaul** (supra) as well, the Court had noted that under the rules a candidate who fails in one of the five subjects of external examination can be placed in compartment and permitted to appear in the said subject

² *Maharishi Dayanand University vs. Surjeet Kaur* (2010) 11 SCC 159



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provided, he qualifies in all the remaining subjects. Thus, in the said decision as well, the rules provided for the relief sought by the petitioner therein. However, since the petitioner had already failed in one subject and did not appear in the other, the Court noting that the rules provided for compartment exam for a candidate failing only in one exam, deemed it fit not to grant him the relief beyond the rules prescribed.

29. In view of the aforesaid discussion, this Court does not find any merit in the present petition. The petition is dismissed.

30. Pending application stands disposed of

31. A copy of this order be given *dasti* under the Signatures of Court Master.

VIKAS MAHAJAN, J

MAY 28, 2025/jg