



2025:DHC:5404



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

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*Judgment Delivered on: 07.07.2025*+ **W.P.(C) 9235/2025****NARUBOINA PRANATHI**

....Petitioner

Through: Mr. Ajitabha Pandey, Ms. Pooja Sharma and Mr. Devendra Kumar Chaubey, Advs.

versus

**UNION OF INDIA AND ANR**

.....Respondents

Through: Mr. Himanshu Pathak, Sr. Panel Counsel with Mr. Vedansh Anand, Govt. Pleader for UOI.  
Mr. Sanjay Khanna, Standing Counsel with Ms. Pragya Bhushan, Mr. Tarandeep Singh and Ms. Vilakshana Dayma, Advs. for R-2/NTA.**CORAM:****HON'BLE MR. JUSTICE VIKAS MAHAJAN****JUDGMENT****VIKAS MAHAJAN, J (ORAL)**

1. The present petition has been filed seeking direction to the respondent no.2/NTA to include the petitioner under PwD category in NEET (UG) 2025 examination.
2. The petitioner applied for the NEET (UG) 2025 examination under non-PwD category. The admit card was issued to the petitioner under non-PwD category and she also appeared in the examination of NEET (UG) under the said category, which was held on 04.05.2025.



3. Mr. Ajitabha Pandey, learned counsel for the petitioner submits that the petitioner is a PwD candidate and on 23.05.2025 she obtained the disability certificate with 45% disability. He submits that after obtaining the said disability certificate, the petitioner wrote an e-mail to the respondent no.2/NTA on 23.05.2025 alongwith the disability certificate attached thereto, requesting the respondent no.2/NTA to extend the benefit of PwD category to her.

4. On a query posed by the Court, Mr. Pandey fairly states that as per the Notification the time for making an application for NEET (UG) 2025 Examination commenced from 07.02.2025 and ended on 07.03.2025, and the correction window was available from 09.03.2025–11.03.2025.

5. Evidently, the disability certificate in question has been obtained by the petitioner on 23.05.2025 and thereafter she wrote to the respondent no.2/NTA for the change of category from non-PwD to PwD after she had already taken the exam as non-PwD candidate.

6. The last date for making an application for NEET (UG) Examination 2025 was 07.03.2025, therefore, normally a candidate's eligibility as PwD category candidate will have to be seen as on said date. Reference in this regard may be had to the decision of this Court in ***Dr. Akash Laxmanrao Narade vs. Govt. of NCT of Delhi through the Secretary, Health and Family Welfare Department & Ors.*** 2025 SCC OnLine Del 4520 wherein it was held as under:

***“29. The OBC-NCL certificate which was subsequently obtained by the petitioner, was applied on 27.03.2025 and the same came to be issued on 28.03.2025. Clearly, petitioner was not having the said certificate as on cut-off date i.e. the last date for making an application, which as noted above was 25.02.2025. Ergo,***



*petitioner cannot take advantage of the said certificate.*

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*32. The upshot of above discussion is that the petition is devoid of merit, and is accordingly dismissed.”*

*(emphasis supplied)*

7. In any case the window for change of category/correction window was available from 09.03.2025 to 11.03.2025 and the petitioner was not possessing any disability certificate even on the said dates.

8. The category of the petitioner cannot be changed from non-PwD to PwD on the basis of the disability certificate which was obtained by her on 23.05.2025 as she was neither possessing the same on the last date for making an application for NEET (UG) 2025 nor during the window period available for correction / change of category.

9. The issue is no more *res integra*. In somewhat similar circumstances a Coordinate Bench of this Court in ***P. Nihal Srivastav Through His Natural Guardian P Harish Babu vs. Union of India and Anr., 2024 SCC OnLine Del 3113*** had also observed as under:

*“20. At the outset, it may be noted that the prayer, as worded in the petition, cannot be granted. This Court cannot re-write the application submitted by the petitioner. The prayer seeks a direction to the respondents to treat the petitioner’s application as one submitted under the PWD category. There is no question of passing any such direction. **An application which has not been submitted under the PWD category cannot, by judicial fiat, be directed to be treated as one submitted under the PWD category. This would amount the Court rewriting the application submitted by the petitioner and modifying the particulars entered by the petitioner in the application. Alternatively, it would amount to the Court to direct the respondent to treat the petitioner’s application***



*as one submitted as a PwD candidate, though the application itself indicates otherwise.*

**21. Quite obviously, this cannot be done.”**

(emphasis supplied)

10. Likewise, this Court in *Ishaan Gupta vs. National Testing Agency*, 2025 SCC OnLine Del 2365 had an occasion to deal with the similar issue. In the said case as well, at the time of filing the application form for both sessions of JEE (Main), the petitioner had applied under the General category and sat for the exam in Session I of JEE (Main), the result of which was declared on 11.02.2025. Subsequently, on 03.03.2025 the petitioner therein applied for issuance of disability certificate which was issued only on 25.03.2025 confirming 40% permanent disability. On the basis of said disability certificate, the petitioner had requested the NTA for change in category from General to PwD. Since the same was not acceded to by the NTA, the writ petition came to be filed. This Court in the backdrop of the facts as noted hereinabove, observed as under:

*“32. This Court is cognizant of the legal position that rules are not to be tweaked to ameliorate the difficulties of an individual candidate. To borrow the words from P. Nihal Srivastav (supra) if any relaxation is required to be made, that relaxation has to find place in the rule. If Courts were permitted to tweak the rule to suit personal exigencies and deal with difficulties being faced by individual students, even if those difficulties are not attributable to any fault on the part of the students, it would result in total anarchy and may even result in formidable difficulties in assessing, compiling, and declaring the results.*

*33. It is also trite that the Court should be extremely reluctant to substitute its own views as to what is wise, prudent and proper in relation to the academic matters in preference to those formulated by a professional man professing technical expertise and rich*



experience of actual day-to-day working of educational institutions and the departments controlling them. Reference in this regard may be had to the decision of the Hon'ble Supreme Court in **Maharashtra State Board of Secondary and Higher Secondary Education & Anr. vs. Partiosh Bhupeshkumar Sheth and Ors., (1984) 4 SCC 27**. The relevant para 29 of the said decision which is relevant, reads thus:

*“29. Far from advancing public interest and fair play to the other candidates in general, any such interpretation of the legal position would be wholly defeasive of the same. As has been repeatedly pointed out by this Court, the Court should be extremely reluctant to substitute its own views as to what is wise, prudent and proper in relation to academic matters in preference to those formulated by professional men possessing technical expertise and rich experience of actual day-to-day working of educational institutions and the departments controlling them. It will be wholly wrong for the Court to make a pedantic and purely idealistic approach to the problems of this nature, isolated from the actual realities and grass root problems involved in the working of the system and unmindful of the consequences which would emanate if a purely idealistic view as opposed to a pragmatic one were to be propounded. It is equally important that the Court should also, as far as possible, avoid any decision or interpretation of a statutory provision, rule or bye-law which would bring about the result of rendering the system unworkable in practice. It is unfortunate that this principle has not been adequately kept in mind by the High Court while deciding the instant case.”*

(emphasis supplied)

**34. It is equally settled that the procedure prescribed in the prospectus/bulletin of information issued by the institutions is binding and no Mandamus can be issued directing the educational institutions to act contrary to their own procedure.<sup>1</sup>**

**35. In view of the above factual narration and enunciation of law,**

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<sup>1</sup> *Maharishi Dayanand University vs. Surjeet Kaur*, (2010) 11 SCC 159



2025:DHC:5404



*this Court is not inclined to impinge on the discretion of respondent/NTA and to direct the change of category of petitioner from General to PwD / PwBD.”*

(emphasis supplied)

11. In light of the above noted factual position and the statement of law, this Court does not find any merit in the petition. Accordingly, petition is dismissed *in limine*.

**VIKAS MAHAJAN, J**

**JULY 7, 2025/N.S. ASWAL**