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

+ **W.P.(C) 12752/2025**

HANAN SHAJAHAN CHITTOTHAYIL

.....Petitioner

Through: Mr. Nishant and Mr. Rohit Singh,
Advts.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Ms. Shagun Shahi Chugh, SPC with
Ms. Kavya Roy Choudhary, Adv. for
R-1/UOI.
Ms. Seema Dolo, Adv. for R-2/NTA.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

% **03.09.2025**

CM APPL. 52109/2025 (exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The present petition has been filed seeking direction to respondent no.2/NTA to allow the petitioner to rectify her category from General to OBC-NCL in the portal/record of respondent no.2/NTA, with a further prayer that she should be allowed to participate in the counseling under the said category.
4. The case as set out in the present petition is that pursuant to respondent no.2/NTA inviting online application for NEET (UG) 2025, on



07.02.2025, petitioner submitted her online application, however, mistakenly, petitioner selected her category as General Category in a *bona fide* impression that the community she belongs to i.e. Mappila Muslim is not in the Central List of OBC.

5. The petitioner thus, appeared in NEET (UG) Exam 2025, which was held on 04.05.2025 as a General Category candidate.

6. The results were declared by respondent no.2/NTA on 14.06.2025 in which petitioner scored 143 marks with 49th percentile. As per the scheme of NEET Examination, a General Category candidate has to score 50th percentile in order to qualify for NEET Examination. It is the case of petitioner that she missed the qualifying cut-off by just one mark.

7. The petitioner realizing that had she filled her form under the category of OBC-NCL, she would have qualified to participate in the counseling, applied for OBC-NCL certificate and the same came to be issued to her on 23.07.2025. After obtaining the said certificate, petitioner sent an e-mail to respondent no.2/NTA on 28.07.2025 to allow her to rectify her mistake and convert her category from General to OBC-NCL.

8. Since there was no response from the respondent no.2/NTA, petitioner has been constrained to file the present writ petition.

9. Mr. Nishant, learned counsel appearing on behalf of petitioner submits that petitioner was minor at the relevant time and had mistakenly selected her category as General Category under a *bona fide* impression that the community she belongs to is not in the Central List of OBC.

10. He further submits that petitioner fell short of just one mark to secure 50th percentile to get qualified for NEET (UG) Examination 2025 as a General Category candidate. In case, the petitioner is not permitted to



change her category from General to OBC-NCL, grave prejudice will be caused to her.

11. *Per contra*, Ms. Seema Dolo, learned counsel appearing on behalf of respondent no.2/NTA, on advance service, has handed over a compilation of documents, the same is taken on record.

12. Referring to public notice dated 07.02.2025, which is part of said compilation, she submits that NTA had notified the timelines for making an application, as well as, for correcting particulars. The last date for making an application was 07.03.2025 and the window providing for correcting particulars was from 09.03.2025 to 11.03.2025.

13. She submits that petitioner did not rectify the category even during the window provided for the said purpose.

14. She contends that in the information bulletin, a link has been provided by NTA to view the list of castes/community belonging OBC under the Central List as well as under the State List. Therefore, petitioner cannot feign ignorance about the status of her caste in the Central List.

15. She contends that since there are timelines provided for making an application, correction of particulars, conducting of test, and counselling, therefore, the petitioner's request, at this stage, is highly belated and cannot be acceded to.

16. On a query being posed by the Court as to whether there is any provision in the information bulletin relaxing the timeline, her answer is in negative.

17. She further places reliance on the following decisions of Co-ordinate Benches of this Court in - (i) ***Sharanya Kaja v. Directorate General of Health Services (DGHS) & Ors.*** [DoD 04.02.2022; W.P.(C) 1189/2022],



and (ii) ***Shyam Sunder v. The Union of India & Anr.*** [DoD 31.08.2022; W.P.(C) 12565/2022].

18. Ms. Dolo further submits that the decision of learned Single Judge in ***Shyam Sunder*** (supra) was assailed by the writ petitioner therein by preferring an intra-court appeal being LPA No.527/2022 which also came to be dismissed *vide* judgment dated 13.09.2022.

19. It is not in dispute that petitioner had applied for NEET (UG) 2025 under the General Category. Even during the window provided for correction of particulars from 09.03.2025 to 11.03.2025, petitioner did not carry out any correction.

20. Thereafter, the NEET (UG) Exam was held on 04.05.2025 and the result of the same was declared on 14.06.2025. Even till the time of declaration of result, no request for change of category was made.

21. This Court cannot rewrite the application submitted by petitioner and modify the particulars entered in the application, in case the petitioner had failed to select OBC-NCL category at the time of filling of application form and subsequently, failed to correct the same during the window period granted for the said purpose.

22. No provision in the information bulletin has been pointed out which provides for change in category after the window period provided for correction of particulars from 09.03.2025 to 11.03.2025. This Court in exercise of its jurisdiction under Article 226 of the Constitution cannot tweak the procedure provided in the information bulletin to correct the mistake committed by an individual candidate nor any mandamus can be issued contrary to the provisions of information bulletin.

23. Even otherwise, granting succour to one candidate would tantamount



to making an inequitable exception, thereby denying equal opportunity to other similarly situated candidates who did not opt of OBC-NCL category either mistakenly or for want of possessing valid certificate at the relevant time. Therefore, no benefit can be granted to the petitioner solely on the grounds of compassion and sympathy.

24. Reference may also be had to the decision of **Sharanya Kaja** (supra) wherein under identical circumstances, this Court rejected prayer for change of category after the result had been declared. The relevant paragraphs of the said decision read thus:

“3. On 19.07.2021, the petitioner filled out her form for appearing in the NEET-UG, which form she filled out for as a general category candidate and, on 12.09.2021 she appeared in the NEET-UG examination conducted by the respondent no.3. Upon the result thereof being declared on 01.11.2021, the petitioner learnt that she had obtained an All India Rank of 18,917. It is at this stage that the petitioner probably realised that she had a much better chance of getting admission, if she had applied in the OBC category and as a consequence, her father applied for issuance of an OBC certificate from his native State of Andhra Pradesh sometime in November, 2021, which certificate was issued to the petitioner’s father on 22.12.2021. Armed with this OBC certificate, the petitioner approached the Govt. of NCT of Delhi for issuance of a caste certificate in her favour, which certificate was duly issued on 04.01.2022. The petitioner then approached the respondent no.3 on 05.01.2022, seeking permission to change her category from General to OBC, which request was not acceded to by the respondents.

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6. *The petition is vehemently opposed by the respondents, who contend that no such change can be permitted at such a belated stage. Ms. Seema Dolo, learned counsel for the respondent no.3 submits, that the entrance examination was conducted for more than 15 lacs students and permitting any change of category at this stage will affect the entire basis of allotment of seats and lead*



to an utter chaos in the admission process. She further submits that the respondents had granted five opportunities to the candidates before the declaration of the result, as late as on 26.10.2021 to seek any correction in the application form. The petitioner neither availed of the same opportunity nor has she given any justification for not filling up of the form as an OBC candidate on 19.07.2021. Merely because she did not have the necessary certificate on the said date, was no reason to fill her category incorrectly, and that too when there was a provision in the information bulletin that no Caste certificate was required at the time of filling up of the online application and the same was to be produced only at the time of counselling.

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8. Having considered the submissions of the learned counsel for the parties, even though I can sympathise with the petitioner who is a young meritorious student, I am unable to persuade myself to accept her claim. **The petitioner had consciously filled up the form as a general category candidate on 19.07.2021, and that too despite being aware that there was no requirement for her to submit the OBC certificate at that stage, which as per the information bulletin was required to be produced only at the time of counselling.**

9. In my view, since the petitioner was well aware that she was an OBC category candidate since birth, she ought to have been prepared for the said exam with all relevant documents, in order to apply in the category that would give her the best chance of getting admission. Furthermore, even if we assume that there was a mistake on her part in filling up the form on account of her young age, there is no reason as to why the necessary correction was not sought for, at any time before the result of NEET-UG Examination was declared. In fact, what appears is that it is only when the petitioner learnt about her ranking, that she realised she could significantly improve her chance of gaining admission in a medical college if she applied in the OBC category, to which she originally belonged and that is why there was a delay in her making a request for change of her category.

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11. *I find myself agreeing with the respondents' plea that, in case, such changes from unreserved category to OBC category are permitted at such a belated stage, the same is likely to result in the respondents being inundated by a deluge of requests from other candidates in similar circumstances, thus causing chaos in the entire counselling process, which would inevitably cause grave hardship and inconvenience to the other students who have taken part in the NEET-UG and therefore, I am, not inclined to grant any relief to the petitioner, as sought for, at this belated stage."*

(emphasis supplied)

25. Reference can also advantageously be made to the decision in **Shyam Sunder** (supra) wherein the Co-ordinate Bench of this Court dealing with similar prayer for change in category observed as under:

7. *It begs no reiteration that relief of change of category is not a matter of right. The courts have granted relief only in extraordinary circumstances in cases where it is found that Petitioner has made a bona fide mistake. Petitioner/or his son cannot colour an act of negligence as 'bona fide mistake'. Candidates who apply for such highly competitive examinations should be vigilant and exercise due care while applying online. Mr. Gaurav had, by his own act, categorized himself as a General Category candidate. Moreover, there is no proof of dispatch of representation dated 10th August 2022 annexed with the Petition. The narrative is unsupported by document(s). Petitioner/or his son are not entitled to claim modification of Mr. Gaurav's online application of JEE (Main) 2022 as a matter of right. Further, there has been considerable delay on the part of Petitioner in approaching the court, at a stage, when results have been announced and JEE (Advanced) 2022 i.e., entrance examination for getting entry into IITs, has also been held on 28th August, 2022. Such delay on Petitioner's part is entirely unexplained. The court remains unconvinced of Petitioner's bona fides.*

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9. *Even if Mr. Gaurav's mistake is taken as an inadvertent*



act, this court cannot be oblivious of the fact that the JEE Examination is a humongous exercise involving lakhs of students. Now, the ranks have been declared on the basis of percentile score. If courts were to treat change of category as an accidental slip/mistake on part of the candidate and direct change of category, it would necessarily entail re-drawing the ranking which would have a ripple effect of upsetting the entire selection process and seat allocation for OBC candidates for the NIT+ institutions, which cannot be allowed lightly.”

26. In view of the above narration of facts, as well as, law exposted by the decisions adverted to hereinabove, this Court does not find merit in the present petition.

27. Accordingly, the writ petition is dismissed *in limine*.

VIKAS MAHAJAN, J

SEPTEMBER 3, 2025

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