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

+ **W.P.(C) 17510/2025**

KRRISH GUPTA (MINOR)

.....Petitioner

Through: Mr. Pranav Kumar Srivastava, Mr.
Ashish Singh and Mr. Juned, Advocates.

versus

**COUNCIL FOR THE INDIAN SCHOOL CERTIFICATE
EXAMINATIONS (ICSE) & ORS.**

.....Respondents

Through: Mr. Mayan Prasad, Mr. Rituraj
Biswas and Mr. Aayush Garg, Advocates for R-1
and R-2.

Ms. Sangita Malhotra, Senior Panel Counsel with
Mr. Vinod Kumar Gupta, Advocate for R-3/UoI.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **16.12.2025**

CM APPL. 72290/2025 (Exemption)

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

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3. This writ petition is filed on behalf of Petitioner under Article 226 of the Constitution of India seeking the following reliefs:-

“a) Issue a writ order or direction in the nature of mandamus or any other appropriate writ, order or direction, directing the Respondent No. 1, to get the Petitioner’s Physics answer book from the Improvement Examination dated 09.07.2025, re-evaluated by an independent expert panel;

b) Direct the Respondent No. 1 to provide certified copies of the Petitioner’s Physics answer sheets from both the Board and Improvement Examinations;



c) Direct the issuance of a revised mark-sheet based on the re-evaluation, if warranted;

d) Pass such other and further orders that this Hon'ble Court may deem fit and proper in the interest of justice."

4. Issue notice.

5. Counsels, as above, accept notice on behalf of Respondents No. 1 and 2 and Respondent No. 3.

6. To the extent necessary the facts are that the Petitioner appeared for ISC, Class XII Board Examination conducted by ICSE on 07.03.2025, which included Physics as a subject. On 30.04.2025, ICSE declared the results and Petitioner was awarded 67/100 marks in Physics. On 05.05.2025, Petitioner applied for rechecking of physics paper and paid the prescribed fee. On 20.05.2025, ICSE communicated that there was no change in the marks after rechecking. Petitioner registered himself for Improvement Examination in Physics on 10.06.2025 and appeared in the examination on 09.07.2025. Improvement Examination results were declared on 01.08.2025 and the marks of the Petitioner remained unchanged i.e., 67/100.

7. Learned counsel for the Petitioner submits that after the result of the Improvement Examination was declared, Petitioner obtained the marksheets and compiled comparative data of 20 other students and found that though they had appeared in different subjects in the Improvement Examination at a gap of four months and were possibly evaluated by different evaluators, their marks remained unchanged, which shows that the improvement examination was a futile exercise and papers were checked without application of mind. It is a settled law that if the Court finds that there is manifest arbitrariness, it can interfere and direct re-evaluation of



the answer book by an independent expert panel. Reliance is placed on the judgment of the Supreme Court in ***Ran Vijay Singh and Others v. State of Uttar Pradesh and Others, (2018) 2 SCC 357***, where the Supreme Court held that where a statute, Rule or Regulation governing an examination permits re-evaluation of an answer sheet or scrutiny of an answer sheet as a matter of right, then it must be permitted. However, if a statute, Rule or Regulation governing an examination does not permit re-evaluation or scrutiny of an answer sheet (as distinct from prohibiting it) then the court may permit re-evaluation or scrutiny only if it is demonstrated very clearly, without any “inferential process of reasoning or by a process of rationalisation” and only in rare or exceptional cases that a material error has been committed. It is urged that there is error in the checking of the Physics paper, which is demonstrated by the fact that even in the Improvement Examination the marks remained unchanged and if re-evaluation is not redirected, it will deprive the Petitioner of being considered for admission in several engineering colleges, where marks in Class XII Board Examination are crucial. It is prayed that the answer key of the Physics paper be called, which will show an apparent error in checking the paper.

8. Learned counsel for Respondents No. 1 and 2, on the other hand, submits that the applicable rules do not contain any provision for re-evaluation of the answer sheets and in the entire writ petition no error in checking the Physics paper has been pointed out, leave alone a demonstrable error. Moreover, the question paper for Physics was subjective in nature and thus the question of any answer key being put up on the website or being called for does not arise. It is trite that the scope of



judicial interference in academic matters is extremely circumscribed.

9. Heard learned counsels for the parties.

10. Broadly understood, the case set out by the Petitioner in the writ petition is that Petitioner scored 67/100 in the Physics paper in Class XII Board Examination held on 07.03.2025 and obtained same score in the Improvement Examination, which shows that checking of papers is a mechanical exercise and there is arbitrariness in action. Petitioner seeks interference of this Court on the ground that there is demonstrable error in checking and absence of any rule permitting re-evaluation will be inconsequential. It is also asserted that comparative data of 20 other students shows that there was no improvement in their marks in the Improvement Examination, which furthers the case of the Petitioner that proper checking of the papers is lacking.

11. It is a settled law that if Rules provide for re-evaluation of an answer sheet, then the authority conducting the examination may permit the same. However, where the Rules do not so provide but at the same time there is no prohibition, Court may permit re-evaluation if it is demonstrated very clearly that there is a material error. This error should, however, be visible without any inferential process of reasoning or by process of rationalisation and Court's interference must be only in rare or exceptional cases. At the same time, the Supreme Court in *Ran Vijay (supra)*, has also held that Court should not re-evaluate or scrutinise the answer sheets of a candidate as it has no expertise in the matter and academic matters are best left to academicians. In the event of doubt, benefit should go to the examination authority rather than to the candidate. It is also held that sympathy or compassion does not play any role in matter of directing or not directing re-



evaluation of an answer sheet. The entire examination process does not deserve to be derailed only because some candidates are disappointed or dissatisfied or perceive some injustice caused to them by erroneous question or erroneous answer.

12. With these principles in the backdrop, I am of the view that Petitioner has not made out a case warranting interference by this Court to direct the Respondents to re-evaluate the Physics paper. As noted above, the primordial ground in the petition is the unchanged score of the Petitioner in the Improvement Examination and the same position obtaining for some other students. This ground does not fit in the parameter laid down by the Supreme Court for interference. It is not shown what error has been committed in checking the Physics paper leave alone a demonstrable error. The question of comparing the answer key or calling for one to assess if the checking of the Physics paper was correctly done, does not arise as admittedly, the paper was subjective in nature and there was no answer key. Merely because the score of the Petitioner remained unchanged, re-evaluation cannot be directed and that too in a paper, which was subjective. It is the examiner, who is an expert in the field and this Court cannot substitute its own wisdom for the wisdom of examiner, who has evaluated the answers in the answer sheet and given the score of 67/100.

13. There is no merit in the writ petition and the same is accordingly dismissed.

JYOTI SINGH, J

DECEMBER 16, 2025/AK/RW