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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ LPA 209/2026, CM APPL. 21622/2026, CM APPL. 21623/2026 &
CM APPL. 21624/2026
NATIONAL TESTING AGENCYAppellant

Through: Mr. Rupesh Kumar, Senior Advocate
along with Ms. Pankhuri Shrivastava
& Mr. Mukul Tyagi, Advocates.
Mr. Shashank Bajpai- CGSC along
with Ms. Aashna Mehra, Mr. Vatsal
Tripathi & Mr. Govind Singh
Chauhan, Advocates.

versus

AARUSH JAIN & ANR.Respondents
Through: Ms. Tanya Agarwal, Advocate for
R-1 along with R-1-in-Person.

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE TEJAS KARIA

ORDER
06.04.2026

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1. The present Appeal has been filed against the judgment and order dated 01.04.2026 ("**Impugned Judgment**") passed by the learned Single Judge in W.P.(C) No. 3859/2026 ("**Writ Petition**"), whereby the Writ Petition filed by Respondent No. 1 was allowed and the Appellant was directed to take necessary steps to facilitate Respondent No. 1 to participate in JEE(MAIN)-2026 Session-2 on any of the scheduled dates and centre by giving notice of 24 hours prior in writing to Respondent No. 1.
2. The Appellant has challenged the Impugned Judgment on the ground that although Respondent No. 1 had filled the online application form on 03.02.2026, the requisite application fee was not successfully credited to the



bank account of the Appellant. It was submitted on behalf of the Appellant that when Respondent No. 1 submitted the application, the Confirmation Page was not generated in terms of the Information Bulletin, which was mandatory for completion of the application process, as the payment which was made by Respondent No 1 was not received by the Appellant and was refunded by the concerned Bank in the account of Respondent No. 1. It was further submitted on behalf of the Appellant that in absence of the Confirmation Page, the application submitted by Respondent No. 1 remained incomplete and *non-est*.

3. The learned Senior Counsel for the Appellant submitted that Respondent No. 1 failed to take any steps to verify the status of his application or take corrective steps within the stipulated time, when an additional opportunity by re-opening the application window for two days was given by the Appellant.

4. It was further submitted on behalf of the Appellant that by allowing the Writ Petition, the learned Single Judge has not appreciated that the Appellant was not at fault since the amount was not received by the Appellant and, therefore, the observation that logistical constraints of the Appellant cannot outweigh the right of the candidate to appear in the examination was erroneous.

5. It was submitted on behalf of the Appellant that participation in a competitive examination is strictly governed by the compliance of the prescribed procedures and timelines and mere debit of amount or intimation of a transaction does not amount to successful payment and no right accrues in favour of a candidate unless the application is duly completed in terms of the governing instructions.



6. It was further submitted on behalf of the Appellant that the Impugned Judgment would set an untenable precedent leading to a flood of similar claims and severely undermining the sanctity, uniformity and timely conduct of competitive examinations conducted at a national scale by the Appellant.

7. The learned Counsel for Respondent No. 1 submitted that Respondent No. 1 had duly filled up the application form on 03.02.2026 and made a payment of ₹1,015.34/- towards the examination fee through net banking from his father's PNB Bank account, which was successful. It was submitted that as the payment was successful, Respondent No. 1 was under genuine and *bona fide* belief that his form was successfully submitted / accepted. It is only when Respondent No. 1 logged in to the portal to check the status of his admit card on 17.03.2026, he was taken aback to see that despite successful payment of fee, it was shown that the fee is pending and as such, the form remained incomplete. Respondent No. 1 immediately called the helpline / contact number and also made representation to the Appellant through e-mail.

8. The learned Counsel for Respondent No. 1 submitted that despite several representations, whereby Respondent No. 1 explained the technical error in remitting the fee to the Appellant, no action was taken by the Appellant. It was further submitted that the bank statement of PNB Bank shows that the amount of ₹1,015.34/- was deducted on 03.02.2026 and deposited back on 05.02.2026, which demonstrates that Respondent No. 1 had made payment at the time of submitting the application form, however, the same was refunded to Respondent No. 1 due to certain technical issue.

9. Accordingly, Respondent No. 1 filed the Writ Petition seeking direction to the Appellant to re-open the fee payment facility / window to



enable Respondent No. 1 to make the payment of the fee in order to issue admit card and enable him to appear for JEE(MAIN)-2026 Session-2 examination.

10. We have heard the learned Counsel for the Parties and perused the record available before us.

11. The learned Single Judge has observed that the payment receipt showed that the payment was made by Respondent No. 1 and the amount was also deducted from the bank account of father of Respondent No. 1. It was further held in the Impugned Judgment that the non-payment of fee was not on account of fault of Respondent No. 1 and the same cannot be attributed to Respondent No. 1 as at best, the same can only be termed as a technical irregularity.

12. The Impugned Judgment further observes that when an application form was submitted for JEE(MAIN)-2026 Session-1, an application number was generated, which was carried through to the second session and only payment of fee for Session-2 was required to become eligible to appear in Session-2 of the said examination. Accordingly, non-receipt of the payment of fee cannot be said to be the fault of Respondent No. 1.

13. We are of the opinion that Respondent No. 1 had attempted to make the payment of the fee at the time of submitting the application for Session-2, however, due to technical fault, the payment was not successful without any intervention by Respondent No. 1. Therefore, not crediting the fee amount to the Appellant's account cannot disentitle Respondent No. 1 from participating in the examination as Respondent No. 1 immediately pointed out such technical glitch upon becoming aware prior to the commencement of the examination.



14. A perusal of the bank account of Respondent No. 1's father shows that the amount was actually paid when the application form was submitted. Once, the amount was debited from the bank account, Respondent No. 1 was under impression that the payment was successful and came to know about the technical fault only when Respondent No. 1 checked about the status of his admit card.

15. The stand of the Appellant that unless the Confirmation Page is generated, the application remained incomplete is correct, however, when Respondent No. 1 had already made the payment of fee, which was remitted back to his father's bank account after two days, no fault of Respondent No. 1 can be found. Accordingly, the learned Single Judge has rightly exercised the writ jurisdiction to ensure substantive justice. Respondent No. 1 cannot be denied an opportunity to participate in the examination on a procedural or a technical irregularity, which can be rectified by the Appellant by permitting Respondent No. 1 to make the payment of the fee.

16. Given the amount of fee involved, it cannot be presumed that Respondent No. 1 had no intention to pay such fee. Although Respondent No. 1 ought to have been more vigilant to ensure that the application process is complete, in the peculiar facts and circumstances of this case, we find that no fault can be attributed to Respondent No. 1 for not doing so since Respondent No. 1 pointed out this technical issue immediately upon noticing the same.

17. In view of the above analysis and in the peculiar facts of this case, we do not find any good ground to interfere in the Impugned Judgment. Accordingly, the present Appeal is hereby dismissed.



18. We are informed that the last date for appearing in the JEE(MAIN)-2026 Session-2 is 08.04.2026. Accordingly, we direct that the Appellant shall re-open the fee payment facility / window to enable Respondent No. 1 to make the payment of fee on 07.04.2026 and issue the admit card on the same date so that Respondent No. 1 is able to appear in the examination on 08.04.2026, in terms of the direction contained in the Impugned Judgment.

19. It is needless to observe that the Impugned Judgment is to be construed in the peculiar facts and circumstances of this case.

20. Accordingly, the present Appeal as well as the pending Applications stand disposed of in the aforesaid terms.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

APRIL 6, 2026

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