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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% *Date of Decision: 18th May, 2026*+ **W.P.(C) 6488/2023 & CM APPL. 25553/2023**

MITHU NATH AND ORS

.....Petitioners

Through: Mr. Rajat Arora, Mr. Niraj
Kumar, Mr. Sourabh Mahla,
Advs.

versus

UNION OF INDIA AND ANR

.....Respondents

Through: Mr. Sushil Kumar Pandey, SPC,
Mr. Aman Kumar Pandey, Mr.
Pradeep Sharma, Advs. with AC
J.P Singh, Inspector Yashpal,
S.I OM Prakash.**CORAM:****HON'BLE MR. JUSTICE ANIL KSHETARPAL****HON'BLE MR. JUSTICE AMIT MAHAJAN****J U D G M E N T (O R A L)****AMIT MAHAJAN, J.**

1. By way of the present petition, the Petitioners seek directions to the Respondents for re-evaluation of the results by awarding full marks for the impugned questions thereby enabling the Petitioners to participate in the further round of the recruitment process.

2. Briefly stated, in the year 2021, an advertisement was issued by the Directorate General (Central Industrial Security Force) for recruitment to the post of Assistant Sub Inspector (Executive) through Limited Departmental Competitive Examination. The Petitioners, who were working as Constable/ Head Constable (General Duty) in CISF,



applied in terms of the advertisement for better career prospects. The written examination was conducted on 29.03.2023, however, the Petitioners were not short listed for further rounds of recruitment.

3. It is the case of the Petitioners that 5 wrong questions were asked in the 'General Intelligence & Reasoning' portion of the written examination and they should be given marks for the same, which will make the Petitioners eligible for further recruitment process. The disputed questions are as under:

DIRECTIONS: (Question No. 1 to 5) Some friends are sitting on a bench. Sunil is sitting on the next seat to Sunita and Sanjay is sitting next to Bindu. Bindu is not sitting with Sumit. Sumit is sitting on the left end and Sanjay is sitting on the second seat from the right end. Sunil is on the left of Sunita and Sanjay is on the left side of Sunil. Sunil and Sanjay are sitting together.

1. Sunita is sitting between:
(A) Sumit and Sunil
(B) Sunil and Sanjay
(C) Sunil and Bindu
(D) Sanjay and Bindu
2. Who is on the fourth position from left end:
(A) Sumit
(B) Sunita
(C) Sanjay
(D) Bindu
3. Where is Bindu sitting?
(A) Left end
(B) Right end
(C) Third to left end
(D) Second to Right end
4. Who is sitting in the middle?
(A) Sumit
(B) Sunil
(C) Bindu
(D) Sanjay
5. How many persons are in between of Sumit and Bindu:
(A) 2
(B) 3
(C) 1
(D) None of these



4. It is argued that the conditions in the scenario are contradictory. It is further argued that the sequence deemed to be correct by the Respondents does not satisfy the condition of Sunil being on the left of Sunita and Sanjay being on the left side of Sunil.
5. On the last date of hearing, this Court had noted that the petition has been rendered infructuous with regard to Petitioner Nos. 1, 5 and 6 as they had failed in the physical test. After examining the questions with help of the learned counsel representing the parties, this Court had observed that it appeared that the questions were *prima facie* not correct. Even the learned counsel for the Respondents had admitted the same, but sought time to take instructions.
6. Today, however, after taking instructions, the learned counsel for the Respondents asserted before this Court that the instructions are clear and the disputed questions are not wrong. He submits that the scenario has to be envisaged by placing the examinee in front of the bench with all friends sitting in a sequence facing the examinee. He submits that the condition indicates that Sunil is to be on Sunita's left hand side, and Sanjay is to be on Sunil's left side, which is met by the sequence deemed correct by the Respondents.
7. He relies upon the letter dated 11.04.2023 whereby the outsourced agency had clarified the sequence after examining the grievance of discrepancy in instructions in the subject questions.
8. The relevant portion of the aforesaid letter is as under:



These Questions pertain to General Intelligence & reasoning. This is clarified as under:

Conditions given in Question

1. Sunil is sitting on the next seat to Sunita
2. Sanjay is sitting next to Bindu
3. Bindu is not sitting with Sumit
4. Sumit is sitting on left end
5. Sanjay is sitting on the second seat from the right end
6. Sunil is on the left of Sunita and Sanjay is on left side of Sunil
7. Sunil and Sanjay is sitting together

As per instructions, final sequence is:

Left end (←)

Right end (→)

Sumit

Sunita

Sunil

Sanjay

Bindu

As from instructions, reverse is true for Sunil and Sanjay, hence instructions are correct.

9. Having perused the questions from a fresh perspective, this Court is persuaded by the reasoning proposed by the Respondents. While on first blush the conditions appear to be contradictory, however, it appears that the questions have been craftily framed. Even this Court as well as learned counsel for the parties were unable to discern the reasoning and logic on the last date of hearing. Be that as it may, it is now clear that the placement of Sunil and Sanjay as well as the indicative direction of 'left' in the concerned conditions is relative to that of Sunita and Sunil respectively instead of the examinee. The present case is not one where two different answers could be correct, but rather, the answer proposed by the Respondents seems to be the *only* plausible sequence which satisfies all conditions and the same cannot be said to be patently wrong. It remains undisputed that only a few candidates have challenged the said questions. The answer key has been universally applied and it appears that only some candidates got confused.

10. The key answer is to be presumed as correct unless, on the face of it, the same is demonstrated to be wrong [*Kanpur University v. Samir Gupta : (1983) 4 SCC 309*]. The manner in which the questions



are to be put to the candidates is a matter which is to be decided by the experts. Only because some candidates were confused by the manner in which narration of the situation was put in the question cannot be a ground to interfere with the opinion of the experts.

11. In view of the aforesaid discussion, considering the explanation put forth by the Respondents, as the Petitioners have failed to establish any palpable error, no ground is made out to order re-evaluation of the Petitioner's results or to grant any consequential reliefs.

12. The present petition is dismissed in the aforesaid terms. Pending application also stands disposed of.

AMIT MAHAJAN, J

ANIL KSHETARPAL, J

MAY 18, 2026