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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 6512/2026

AARNAV SHANDILYA

.....Petitioner

Through: Mr. Sanjeev Sahay, Mr. Anand
Shankar, Mr. Amitabh Kumar
Chaubey, Mr. Amit Kumar, Mr.
Karan Deep Singh, Advs.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Dhruv Sharma, GP for R-1
Mr. Akshat Agrawal, Adv. for R-2
Mr. Arjun Mitra, Ms. Jayanti Jha
Advocates for R3

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

13.05.2026

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1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers:-

“A) Issue an appropriate Writ, order or direction in favour of the Petitioner and against the Respondents thereby quashing the impugned condition no.- 20 i.e. Important Instructions to be followed on the day of examination, provided in the Information Brouchure of the Respondent to the extent prohibiting use of simple Calculator by the Petitioner, who is PwD candidate, in JEE(Advance) Examination, 2026;

B) Issue an appropriate Writ, order or direction in favour of the Petitioner and against the respondents thereby quashing



Impugned communication dated 04.05.2026 issued by Respondent No.-3 to the extent denying simple Calculator to the Petitioner in JEE(Advance) Examination, 2026;

C) Issue an appropriate Writ, order or direction to the Respondent No.-1 to direct respondent no.-2 & 3 to modify the Information Brochures to include provisions for reasonable accommodation to candidates of PwD category in consonance with The Rights of Persons with Disabilities Act, 2016;

D) Issue an appropriate Writ, order or direction to the Respondent No.-4 to laid down a comprehensive guidelines for reasonable accommodation to the candidates of PwD category in all professional examinations in consonance with The Rights of Persons with Disabilities Act, 2016...”

2. The brief facts of the case are that the petitioner is a person who comes under category of person with disability and is diagnosed with Specific Learning Disability, including Dysgraphia.
3. The disability of the petitioner is supported by his psychological assessment. The petitioner filed an earlier petition being W.P. (C) 1042/2026 seeking permission to use calculator for JEE (Mains) Examination which was allowed *vide* order dated 27.01.2026. The said order was challenged and the challenge is still pending in LPA 92/2026 but the order dated 27.01.2026 granting relief has not been stayed.
4. Mr. Sahay, learned counsel for the petitioner, states that pursuant to the order, the petitioner has cleared his JEE (Mains) Examination. He further wishes to participate in JEE (Advance) Examination and use a 12 digit



calculator for the same.

5. For the said reasons, issue notice.
6. Mr. Sharma, learned government pleader, Mr. Agrawal, learned counsel and Mr. Mitra, learned counsel accept notice on behalf of the respondent Nos. 1, 2 and 3 respectively.
7. Mr. Sahay, learned counsel for the petitioner, presses for interim direction in view of urgency. Hence, the applications seeking interim directions is being taken up for hearing.
8. Mr. Mitra, learned counsel, states that his objection to the present petition is threefold which are primarily:
 - a) That the information brochure was published on 30.12.2025 and there is no reason for the petitioner to approach the Court at this stage.
 - b) That the certificates have been issued to the petitioner at Ahmedabad and the petitioner's exam centre is also in Ahmedabad and hence, this Court does not have any jurisdiction no part of cause of action has arisen within the jurisdiction of this Court.
 - c) That in case the petitioner is permitted to use a calculator the same should be categorised as use of unfair means and will amount to petitioner having unfair advantage over other students as a calculator is a performance enhancement device. Further, there is nothing on record to suggest that the petitioner's medical condition can only be compensated by use of a calculator.
9. Mr. Mitra, learned counsel for the respondent No. 3 has relied on ***Pallavi Sharma and Ors. v. College of Vocational Studies 2015 SCC OnLine Del 10249*** The paragraph 14 of which reads as under:-

"14. At any rate, the law is well 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 (vide Maharshi Dayanand University v. Surjit Kaur; JT (2010) 7 SC 179)”

10. I have heard learned counsels for the parties.
11. In the present case, the petitioner was permitted use of calculator at JEE (Mains) Examination level *vide* order dated 27.01.2026.
12. As regards the objections of the respondents are concerned, even though the information brochure was of 30.12.2025 in the present case the petitioner qualified on 21.04.2026 for his JEE advance. The petitioner made a representation on 03.05.2026 which was rejected on 07.05.2026 and thereafter the present petition has been filed. Therefore, I am of the view that there is no delay.
13. With respect to the objections on jurisdiction of this Court, Mr. Sahay, learned counsel states that the Joint Admission Board (“**JAB**”) is situated at Delhi.
14. At this juncture, Mr. Mitra, learned counsel, states that the JAB is not responsible for conducting the examination. JAB is chaired by the Director, IIT, Roorkee and the JAB for IIT is different than the respondent No. 2.
15. However, in this regard Clause No. 8 of the Information Brochure of JEE (Advance) Examination, 2026, holds relevance and reads as under:-

“8. The Examination

The Joint Entrance Examination (Advanced) 2026 [JEE



(Advanced) 2026] will be conducted by the seven Zonal Coordinating IITs under the guidance of the Joint Admission Board 2026 (JAB 2026). The performance of a candidate in JEE (Advanced) 2026 will form the basis for admission to the Bachelors, Integrated Masters, and Dual Degree programs (entry at the 10+2 level), mentioned in Clause 2, in all the IITs in the academic year 2026-27. The decisions of JAB 2026 will be final in all matters related to JEE (Advanced) 2026 and admission to IITs in the academic year 2026-27.”

16. As per Clause No. 8 of Information Brochure, it is JAB which *prima facie* seems to be organising body of the JEE (Advance) Examination. The same is situated in Delhi and thus, this Court will have the jurisdiction.
17. The objection with respect to the use of calculator amounting to us of Unfair means is also not maintainable as the petitioner is a person with disability and the disability certificate issued by the Medical Superintendent, Civil Hospital, Asarva, Ahmedabad, Gujarat reads as under:-



Department of Empowerment of Persons with Disabilities,
Ministry of Social Justice and Empowerment, Government of India

Disability Certificate

Medical Superintendent, Civil Hospital, Asarva, Ahmedabad, Gujarat



Certificate No.: GJ43920420090004978

Date: 05/07/2024

This is to certify that I/We have carefully examined **Aarnav Shandliya** Son of **Shri Rajender Kumar**, Date of Birth **09/04/2009**, Male, Registration No. **2443/80000/0240/70003004**, resident of **F-301 Brown Avenue Maple County-2 Sindhu Bhavan Road Thaltej Ahmedabad - 380059**, Sub District **Ghatlodiya**, District **Ahmedabad**, State / UT **Gujarat**

Whose photograph is affixed above, and I/We satisfied that:

(A) He is a case of **Specific Learning Disabilities**

(B) The diagnosis in his case is **SPECIFIC LEARNING DISABILITY (DYSGRAPHIA)**

(C) He has **40%** (In figure) **Greater Than forty** percent (in words) Temporary Disability in relation to his Brain as per the guidelines (Guidelines for the purpose of assessing the extent of specified disability in a person included under RPwD Act, 2016 notified by Government of India vide S.O. 76(E) dated 04/01/2018).

This certificate recommended for **3 year(s)**, and therefore this certificate shall be valid till **05/07/2027**

The applicant has submitted the following document(s) as proof of residence:

Nature of Document(s): Aadhaar card

Signature / Thumb Impression of the Person with Disability

Signature of notified Medical Authority Member

Dr. Minakshi N. Parikh

M.D. (Psychiatry)

Reg. No.-G9867

Professor & Head

Department of Psychiatry

B. J. Medical College &

Civil Hospital, Ahmedabad.

Medical Superintendent, Civil Hospital, Asarva
Ahmedabad, Gujarat





18. The Chief Medical Officer of BJ Medical College, Civil Hospital, Ahmedabad has also issued a certificate regarding physical limitation in the petitioner which hampers the writing capability of the petitioner. The same reads as under:-

ANNEXURE - P/9

ANNEXURE-A

CERTIFICATE REGARDING PHYSICAL LIMITATION IN AN EXAMINEE TO WRITE
(SUGGESTIVE)

This is to certify that, I have examined Mr/Ms/Mrs AARNAV SHANDILYA (name of the candidate with disability), a person with SPECIFIC LEARNING ^{DISABILITY} (nature and percentage of disability as mentioned in the certificate of disability) S/o/p/da RAJENDER KUMAR a student of SATYAMEV JAYATE SCHOOL (School name & address) and to state that he/she has physical limitation which hampers his/her writing capabilities owing to his/her disability. Will be benefitted from writing scribe and assisted device - (calculator)



Signature
Chief Medical Officer/Civil Surgeon/Medical Superintendent of a
Government health care institution

Place: AHMEDABAD

Date: 08/01/2026

Note:

Certificate of disability should be given by a specialist of the relevant stream/disability (eg. Visual impairment – Ophthalmologist, Locomotor disability – Prthopaedic specialist/PMR).

Name & Designation.

Name of Government Hospital/Health Care Centre with Seal

Dr. Nisha K. Prajapati
M.D. Psychiatry
Assistant Professor
Department of Psychiatry
B.J. Medical College
Civil Hospital, Ahmedabad.
Reg. No.: G-54087



19. A perusal the documents from the Chief Medical Officer are suggestive of the fact that the petitioner is a person with benchmark disability of greater than 40% suffers from physical limitation and a Specific Learning Disability, including Dysgraphia.
20. It is the responsibility of the Organising Board to facilitate such candidates and modify the system to eliminate discrimination. In this regard Section 16 and 17 of the Rights Of Persons With Disabilities Act, 2016 (“**PWD Act**”) hold relevance and reads as under:

Section 16: Duty of educational institutions.- *The appropriate Government and the local authorities shall endeavour that all educational institutions funded or recognised by them provide inclusive education to the children with disabilities and towards that end shall- (iii) provide reasonable accommodation according to the individual's requirements; (iv) provide necessary support individualised or otherwise in environments that maximise academic and social development consistent with the goal of full inclusion;*

Section 17: Specific measures to promote and facilitate inclusive education.- *The appropriate Government and the local authorities shall take the following measures for the purpose of section 16, namely:-*

....

(g) to provide books, other learning materials and appropriate assistive devices to students with benchmark disabilities free of cost up to the age of eighteen years;”



21. Further, the Chief Medical Officer is a person who is specialist in the field and the suggestive certificate shall in the present case carry a persuasive value with this Court.
22. Learned counsel for the respondent No. 3 also relies on the judgment of ***Riddhima Singh v. Central Board of Secondary Education, 2023 SCC OnLine Del 7168***

11. More significantly, a Division Bench of this Court in Shristi Udaipur Hotels v. Housing and Urban Development Corp dealt with a similar issue and observed that where the most vital parts of the cause of action have arisen elsewhere, the mere presence of the registered office of the Respondent in Delhi would be irrelevant in determining territorial jurisdiction as it amounts to a miniscule part of the cause of action. Relevant portions of the judgment are as under:

“30. In the present case, the mere location of the registered office of the respondent/Corporation in Delhi, cannot be a ground to canvass that the cause of action has arisen within the territorial jurisdiction of this Court, unless and until the petitioner has been able to point out that some material decision had been taken at the office of the respondent that would have a bearing on the present petition. A bald submission made to the effect that ordinarily a decision to recall a loan from a client is taken at the head office of the respondent/Corporation would not



be of much assistance to the petitioner. As would be apparent from a bare perusal of the writ petition, the petitioner's grievance is directed against the act of the regional office of the respondent/Corporation in issuing the impugned loan recall notice dated 20.01.2014 and admittedly, the said regional office is not located within the territorial jurisdiction of this Court, but is based at Jaipur. Similarly, the Sub-Lease Deed dated 11.1.2008 in respect of the project land was executed by the petitioner with the sub-lessor at Udaipur and the project land is also located in Udaipur.

31. To conclude, this Court is of the view that the facts relating to jurisdiction that have been pleaded in the application and for that matter, in the writ petition, can hardly be stated to be either essential or material, much less integral for constituting a part of the cause of action, as envisaged under Article 226(2) of the Constitution of India, for vesting territorial jurisdiction on this Court. On the contrary, as noted above, the most vital parts of the cause of action have arisen in Jaipur and the mere presence of the registered office of the respondent/Corporation in Delhi or the facility extended to the petitioner to address any correspondence to the respondent/Corporation and/or remit moneys due or payable under the Loan Agreement at Delhi, would have to be treated as irrelevant factors, being



a miniscule part of the cause of action. By no stretch of imagination can these factors be treated as conclusive for determining the territorial jurisdiction of this Court.

32. In the given facts and circumstances of the case, this court is inclined to accept the submission made by learned counsel for the respondent/Corporation that neither the factors mentioned by the petitioner, nor the circumstances would by themselves confer territorial jurisdiction on this court for maintaining the petition in Delhi. Rather, this Court is of the opinion that it would be inconvenient for it to entertain the present petition and the High Court of Rajasthan would be better equipped to deal with the issues raised in the present petition. Accordingly, this Court declines to exercise the discretionary jurisdiction vested in it under Article 226 of the Constitution of India. Resultantly, the present application is dismissed, while leaving the parties to bear their own costs.”

23. I am of the view that the said judgment is distinguishable as in the present case, JAB which is the agency responsible for conducting JEE Advance is situated at Delhi. Same is also evident from Clause No. 8 of the Information Brochure of JEE (Advance) Examination, 2026
24. The judgment of ***Pallavi Sharma (Supra)*** is distinguishable on facts as the petitioner in this case had failed to mention the Course of B.A. (Vocational Studies) in the OMR pre-admission form. Therefore, it was held that the grant of admission to the candidate who has not even



applied for the said course would be detrimental to the other candidates who have applied for the said course. Further it was clear from the instructions that the data furnished in the pre-admission form was the sole responsibility of the candidate. In view of the same the Court denied the relief to the candidate.

25. For the said reasons, the petitioner shall be permitted to simple 12 digit calculator which shall be provided by the respondent No. 3 for JEE (Advance) Examination, 2026 scheduled to be held on 17.05.2026.
26. In view of the relief granted today, Mr. Sahay, learned counsel, does not press the other reliefs in the petition and accordingly the present writ petition is disposed of.
27. *Dasti* under the signature of the Private Secretary.

JASMEET SINGH, J

MAY 13, 2026/ NG / MS