

**IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR**

BEFORE

**HON'BLE SHRI JUSTICE ANAND PATHAK
&
HON'BLE SHRI JUSTICE HIRDESH**

WRIT PETITION NO. 27873 of 2025

ON THE 18th OF JULY, 2025

RIYA SARAF

Vs.

UNION OF INDIA & ORS.

APPEARANCE:

Shri S.P.S. Gurjar – Advocate for the petitioner.

Shri Praveen Kumar Newaskar – Dy. Solicitor General for the respondents/Union of India.

ORDER

Per: Justice Anand Pathak,

1. The present petition under Article 226 of the Constitution is preferred by the petitioner seeking following reliefs:

“7.1 That, respondent authority may kindly be directed to consider the case of petitioner and grant the marks as per book late no. 48 and declared the correct result.

7.2 That, other relief doing justice including cost be ordered.”

2. Matter pertains to non declaration of result of NEET (UG) of correct OMR sheet of petitioner. Petitioner appeared in the NEET (UG), 2025 entrance examination and according to petitioner she filled booklet No.46 in OMR sheet while it was booklet No.48. Thereafter, petitioner complained in this regard to the respondents authorities but no heed has been paid. Therefore, petitioner is before this Court.

3. It is the submission of learned counsel for the petitioner that technicality is permitted to be prevailed over a meritorious candidate. Due to pressure of examination, petitioner mentioned wrong booklet number in her OMR sheet and now respondents are adamant in not correcting the same, while clause 13.1.2 of Chapter 13 (Post Examination Activities and Declaration of Result) of Information Bulletin issued by National Testing Agency provides provision for rechecking of OMR sheet. The mistake was an human error which cannot be permitted to compromise the career of petitioner. It is further submitted that invigilator did not perform his duty, as he was required to verify the details of every aspirant. Petitioner performed very well and the booklet No.48 which was allotted to the petitioner received 573 marks. Thus, prayed for a suitable direction to the respondents.
4. Learned counsel for the respondents opposed the submission and prayed that petitioner should be conversant to the process of NEET examinations, therefore, he had to be more cautious. Further, if any mistake was committed then he had to respond then and there but he waited for it. After conducting of examinations, window was opened soliciting objections from the aspirants but no such objection was submitted by the petitioner. Thus, prayed for dismissal of this petition.
5. Heard learned counsel for the parties and perused the documents appended thereto.
6. This is a case where the petitioner is aggrieved by situation created by her own mistake. Petitioner filled wrong booklet number in her OMR sheet as booklet No.46 while her booklet number was 48 and thereafter kept silent and did not raise her objections timely before

the respondents, therefore, it resulted in failure of petitioner in NEET (UG) examination for which petitioner cannot blame anyone.

7. From the record and submissions of parties, it is clear that after examination of NEET (UG), respondents solicited objections from the candidates at their portal but petitioner failed to do so. Now petitioner is seeking the relief of rechecking of his OMR sheet whereas counseling is started.
8. So far as the submission pertaining to provision in relation to rechecking of OMR sheet is concerned, the same is not correct because clause 13.1.2 does not deal such exigency. Clause 13.1.2 of Chapter 13 of Information Bulletin issued by National Testing Agency reads as under:

“Chapter 13: Post Examination Activities and Declaration of Result

13.1.1 xx xx xx

13.1.2 Applicants will be given an opportunity to submit representation against the OMR grading by paying a non-refundable processing fee of Rs.200/- per question challenged.”

9. Petitioner cannot blame the respondents for her own mistake. The period which was provided by the National Testing Agency for submission of objections, during that period petitioner did not raise any objection and thereafter only on 16th June, 2025 he raised the objections but by that time the objections period was over. Answers key was uploaded by the NTA on the same date of examination, therefore, if petitioner committed any mistake in filling wrong booklet then he should have to raise objections then and there only.
10. Considering the rival submissions advanced by learned counsel for

the parties and the fact that it was petitioner who was at fault, considering the limited scope of interference in such cases, this Court does not find any reason warranting interference in the present case. The petition sans merits and deserves dismissal.

11. Writ Petition stands dismissed.

(ANAND PATHAK)
JUDGE

(HIRDESH)
JUDGE

Anil*