CNR No: PHHC011227792026
2026:PHHC:112687-DB

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

(101-1) **CWP-23206-2026**

HARSHUL GARG **... PETITIONER**

VERSUS

UNION OF INDIA AND OTHERS **... RESPONDENTS**

(101-2) **CWP-23306-2026**

HARSHITA AGARWAL THROUGH HER FATHER DR. AJAY AGARWAL

... PETITIONER

VERSUS

UNION OF INDIA AND ANOTHER **... RESPONDENTS**

Judgment Reserved on	Judgment Pronounced on	Judgment Uploaded on	Whether only the operative part of the judgment is pronounced	Whether the full judgment is pronounced
10.08.2026	17.08.2026	18.08.2026	No	Yes

CORAM:- HON'BLE MR. JUSTICE SUVIR SEHGAL

HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA

Present:- Mr. Vikas Mohan Gupta, Advocate and
Ms. Tanvi Aggarwal, Advocate,
for the petitioner in CWP-23206-2026.

Mr. Sukesh Kumar Jindal, Advocate,
Ms. Sonia Bohat, Advocate and
Mr. Lalit Goel, Advocate,
for the petitioner in CWP-23306-2026.

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Ms. Promila Nain, Senior Advocate, Senior Panel Counsel, UOI
with Mr. Ishkaran Singh Chhabra, Advocate,
for respondents No.1 and 2 in CWP-23206-2026 and
for respondent No.1 in CWP-23306-2026.

Mr. Arun Gosain, Advocate and
Mr. Ramandeep Singh Sandhu, Advocate,
for respondent No.3 in CWP-23206-2026 and
for respondent No.2 in CWP-23306-2026.

Mr. Ravi Sharma, Advocate (THROUGH V.C.)
for respondent No. 4 in CWP-23206-2026.

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SUVIR SEHGAL, J.

1. This judgment shall dispose of both the above noted writ petitions as petitioners in the aforesaid matters have approached this Court challenging the answer keys to some of the questions of entrance test conducted for National Eligibility Entrance Test-NEET (UG)-2026 on 21.06.2026.

2. Petitioner, in CWP-23206-2026, has laid a challenge to two questions. Vide order dated 28.07.2026, Mr. Vikas Mohan Gupta, counsel for the petitioner had confined the challenge to question No.77 of Booklet No.70 as according to him there were two correct options, that is, option Nos.2 and 3, whereas as per the result uploaded by National Testing Agency (NTA), there was only one correct option that is option No.3.

3. Petitioner, in CWP-23306-2026, has challenged the answer keys to question Nos.152 and 167 of Booklet No.70. Her objection is regarding question No.22 also. It has been asserted by Mr. Sukesh Kumar Jindal, counsel for the petitioner that question No.152 has two correct options, that is, option

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Nos.2 and 4. In respect of question No.167, it has been submitted that none of the options are correct. Qua question No.22, counsel states that petitioner had made a partial and unintended marking against one of the options, which has been taken into account by the OMR scanner resulting in negative marking.

4. Counsel for the petitioners have submitted that they had raised objections to the answer keys after they were uploaded on the website of NTA on 25.06.2026. It is their specific case that objections raised by petitioners have not been considered by the panel of experts constituted by NTA. By way of interim order, this Court directed NTA to produce the complete report of the experts in a sealed cover, as well as to file an affidavit, specifically mentioning as to how the objections raised by the candidates have been dealt with. The report was produced before this Court in a sealed cover on 10.08.2026, which was ordered to be opened and has been perused. Mr. Harshit Aggarwal, JD, NTA, who appeared in person along with the report, has explained the contents of the report in the presence of counsel for the petitioners, who were called in the chamber of Court Room No.4. The report has been minutely examined. The report contains a certification from the experts to the effect that they have verified all the answer keys of the question paper and have ensured that the answer keys are correct. Experts have further certified that they have gone through all the challenges of the candidates on each question raised and reviewed them carefully and submitted the final answer keys of the questions.

5. In the affidavit filed by Mr. Binod Kumar Sahu, Director, NTA, it has been categorically stated that challenges to the provisional keys received

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from all the candidates, including the petitioner(s), were placed before the panel of eminent subject experts drawn from premier institutions of national repute, including IITs and premier Central Universities, for their consideration and settlement. Final answer keys were prepared as per the opinion of the respective panel of subject experts pursuant to challenges settled by them. Upon review of the same, result of NEET (UG)-2026 re-examination was declared by press release on 16.07.2026. It has been deposed that as per the pre-defined and pre-declared norms of the examination, final answer keys were applied to the responses of all the candidates based on the revised/final answer key only and the result was prepared and declared. It has been stated that objections raised by petitioners in both the writ petitions against the final answer key were found to be incorrect by the experts. Reference has also been made to Clause 15.2 of the Information Bulletin, Annexure P-3, to submit that decision of the NTA on the challenges shall be final and result will be declared on the basis of revised answer key and as per Clause 15.4 thereof, there is no provision for re-checking or re-evaluation of the answer sheets. In ***Himachal Pradesh Public Service Commission Versus Mukesh Thakur and another (2010) 6 SCC 759***, Hon'ble Supreme Court held that if there is any discrepancy in the framing of the question or evaluation of the answer, it is for all the candidates appearing in the examination and not for just one candidate alone. This Court has no reason to doubt the opinion of the experts.

6. This Court is not an expert in respective subjects. It is not permissible for High Court to examine the question paper and the answer keys.

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Apex Court has observed that academic matters are best left to academicians. Reliance can also be placed upon the judgment of Hon'ble Supreme Court in ***Ran Vijay Singh and others Versus State of Uttar Pradesh and others, (2018) 2 SCC 357.*** Sounding a note of caution and setting aside judgment of High Court of Allahabad, it has been held in ***U.P. Public Service Commission and another Versus Sunil Kumar Singh and others, Law Finder Doc ID # 2959487*** that the manner of examination of so-called dubious questions pertaining to different topics by the High Court as if it was an expert of experts and in making the directions is clearly indefensible. This Court, therefore, refrains from entering into the arena of evaluating the answer keys on the basis of the information relied upon by petitioners.

7. There is another aspect of the matter. Note No.3 to the information bulletin, Annexure P-3, clearly stipulates the criteria on which the answers are to be assessed. Relevant extract of the note reads as under:-

> *"3. IMPORTANT POINTS TO NOTE:*
>
> *To answer a question, the candidate needs to choose one option corresponding to the correct answer or the most appropriate answer. Marking will be done as per following criteria:*
>
> *(i) Correct answer or the most appropriate answer: Four marks (+4)*
>
> *(ii) Any incorrect option marked will be given minus one mark (-1).*
>
> *(iii) Unanswered: No mark (0)."*

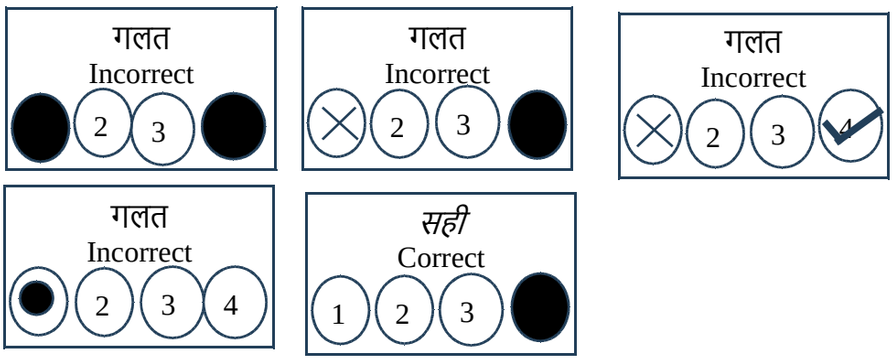
8. This note puts the entire controversy at rest. It is not the correct answer alone, but the most appropriate answer in the opinion of the evaluators/experts, which has to be treated as the correct answer and has to be awarded four marks. As has been noticed in the judgments reproduced above, it

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is the opinion of the experts, which has to prevail and once they find a particular answer to be correct, the same is not to be interfered with by the Court in the exercise of extraordinary writ jurisdiction under Article 226 of the Constitution of India.

9. In so far as partial and unintended marking against one of the options of question No.22 by petitioner in CWP-23306-2026 is concerned, reference deserves to be made to instructions appended to OMR answer sheet. The relevant part of instructions is reproduced hereunder:-

> *"3. कृपया पूरे गोले को गहरे निशान से भरिए।*
> *Please darken the complete circle.*
>
> *4. प्रत्येक प्रश्न का उत्तर केवल एक ही पूरे गोले में गहरा निशान लगाकर दीजिए जैसा नीचे दिखाया गया है।*
> *Darken ONLY ONE CIRCLE for each Question as shown below:*



> 5. एक बार गोले में निशान लगाने के पश्चात कोई परिवर्तन अनुमन्य नहीं है।
> *Answer once marked cannot be changed.*
>
> *6. उत्तर पत्रिका पर अन्य कहीं कोई निशान न लगाइए। गलत निशान / कोई निशान ओ०एम०आर० स्कैनर के द्वारा गलत पढ़े जा सकते है।*
> *Please do not make any stray marks on the Answer Sheet. Stray spot marks/Stray marks may be read erroneously by the OMR Scanner"*

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10. These instructions unambiguously show that candidates have been advised not to make any stray marks on answer sheet and answer, once marked, cannot be changed. In view of these instructions, this Court cannot examine as to whether the marking on the answer sheet was deliberate, partial or unintended.

11. For the reasons recorded above, this Court does not find any justifiable ground to interfere with the answer keys finalized by the experts and the result declared by the NTA.

12. Both the petitions are dismissed, though with no order as to costs.

13. The report of Experts is ordered to be re-sealed and is directed to be returned to Sh. Arun Gosain, Advocate, counsel for NTA, under his signatures.

(SUVIR SEHGAL)
JUDGE

(DEEPINDER SINGH NALWA)
JUDGE

17.08.2026
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Whether Speaking/Reasoned	Yes
Whether Reportable	Yes

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