



* IN THE HIGH COURT OF DELHI AT NEW DELHI

Judgment Reserved on: 13.08.2026

% *Judgment Delivered on: 18.08.2026*

CNR No. DLHC010373612026

+ LPA 632/2026, CM APPL. 53779/2026, CM APPL. 53780/2026 & CM APPL. 53781/2026

KUSHAGRA MITTAL MINOR & ANR.Appellants

Versus

NATIONAL TESTING AGENCY & ORS.Respondents

Advocates who appeared in this case

For the Appellants : Mr. Nitiin Soni, Ms. Puja B. Soni & Mr. Deepjyot Singh, Advocates.

For the Respondents : Mr. Sanjay Khanna, Standing Counsel with Ms. Pragya Bhushan, Ms. Jaya Choudhary, Ms. Meemansa Dixit, Mr. Naman Dwivedi & Mr. Saurabh Pandey, Advocates for Respondent No.1/NTA.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TEJAS KARIA

JUDGMENT

TEJAS KARIA, J.

INTRODUCTION

1. This is an *intra court* Appeal filed by the Appellants against the judgment dated 11.08.2026 (“**Impugned Judgment**”) passed by the learned



Single Judge in W.P.(C) 10274/2026 (“**Writ Petition**”) whereby the learned Single Judge dismissed the Writ Petition filed by the Appellants.

FACTUAL MATRIX:

2. The factual matrix leading to the filing of the present Appeal is as under:

2.1. Appellant No. 1 appeared in the National Eligibility-*cum*-Entrance Test-Undergraduate, 2026 (“**NEET-UG 2026**”), conducted by Respondent No. 1, the National Testing Agency (“**NTA**”), on 21.06.2026.

2.2. NEET-UG 2026 contained Question No. 150 in the Biology Section (“**Q150**”), which read as follows:

“150. Which of the following statements about the reabsorption process in Henle’s loop are correct?

(a) The descending limb of Henle’s loop is permeable to water but almost impermeable to electrolytes.

(b) Urine gets concentrated in Henle’s loop.

(c) Reabsorption of Na⁺ and water takes place in Henle’s loop.

(d) Active or passive transport of electrolytes occurs in the ascending limb of Henle’s loop.

Choose the correct answer from the options given below:

(1) (b), (c) and (d) only

(2) (a), (b) and (c) only

(3) (a), (b) and (d) only

(4) (a) and (b) only”

2.3. The NTA published the provisional answer key for NEET-UG 2026 on 25.06.2026 (“**Provisional Answer Key**”), which provided Option No. 3 to Q150 (“**Option No. 3**”) as the correct answer. However, Appellant No. 1 had selected Option No. 2 as the answer to Q150.



- 2.4. Appellant No. 1 challenged the answer to Q150 as indicated in the Provisional Answer Key. In support, Appellant No. 1 placed reliance on relevant scientific material, the prescribed material of the National Council of Educational Research and Training (“**NCERT**”), and standard medical textbooks, to demonstrate the correctness of the answer selected by Appellant No. 1.
- 2.5. Thereafter, the NTA released the final answer key (“**Final Answer Key**”), retaining the answer indicated in the Provisional Answer Key in respect of Q150. The result of NEET-UG 2026 was declared on 16.07.2026 (“**Result**”), wherein Appellant No. 1 secured 695 out of 720 marks and obtained All India Rank 65.
- 2.6. Being aggrieved by the Result, the Appellants filed the Writ Petition, in which the NTA filed a counter affidavit dated 07.08.2026 (“**Counter Affidavit**”), stating that the objections received had been placed before, and considered by the subject experts.
- 2.7. *Vide* the Impugned Judgment, the learned Single Judge disposed of the Writ Petition, *inter alia*, observing that the onus was upon the Appellants to establish that there was a manifest error in the opinion adopted by the subject experts, and that the Appellants had failed to discharge the said onus.
- 2.8. Being aggrieved by the Impugned Judgment, the Appellants have preferred the present Appeal.



SUBMISSIONS ON BEHALF OF THE APPELLANTS

3. The learned Counsel for the Appellants made the following submissions:

- 3.1. Appellant No. 1 is a meritorious student, who had initially appeared in the NEET-UG Examination held on 03.05.2025 and, as per the provisional answer key released in respect thereof, was likely to secure a perfect score of 720 out of 720. However, the said examination was subsequently cancelled, whereafter the NTA conducted a fresh examination, NEET-UG 2026.
- 3.2. The learned Single Judge failed to appreciate the central and objective defect in Q150 as Option No. 3 wrongly provides that Statements (a), (b) and (d) are correct and by necessary implication, treats Statement (c) as incorrect. Once Statement (c) is shown to be scientifically correct, Option No. 3 cannot, either logically or scientifically, continue to be regarded as the correct answer. If all four statements are scientifically correct, none of the options provided by the NTA, each of which employs the expression “only”, accurately represents the complete set of scientifically correct statements.
- 3.3. The opinion given by Dr. Yogesh Singh, Professor, Department of Physiology, AIIMS Rishikesh (“**Dr. Singh**”) in respect of the answer to Q150 states that all Statements are correct.



- 3.4. In view of the above, there existed an alternative academic view, which affirmatively and demonstrably established the scientific correctness of Statement (c). The observation in the Impugned Judgment that the Appellants' case rested upon "*inferences / logical deductions and applications*" is, therefore, contrary to the material placed on record and to the principles laid down in *Kanpur University v. Samir Gupta*, (1983) 4 SCC 309, *Om Prakash Verma v. National Testing Agency*, (2024) 1 HCC (Del) 115, and *Shivraj Sharma v. Consortium of National Law Universities & Ors.*, 2025 SCC OnLine Del 2589, which recognise that a Court is not required to adopt an entirely hands-off approach and may test a disputed key answer against standard and prescribed textbooks.
- 3.5. The requirement under the Information Bulletin ("**Information Bulletin**") to choose "*the correct answer or the most appropriate answer*" cannot authorise the NTA to treat as correct an option that expressly excludes a scientifically correct statement. The issue before the learned Single Judge was not whether Option No. 3 was marginally more appropriate than Option No. 2 to Q150. However, the issue was whether Option No. 3 could be regarded as scientifically correct at all when the use of the word "*only*" necessarily treats Statement (c) as incorrect, despite authoritative scientific material establishing the contrary.
- 3.6. The learned Single Judge, *vide* the Impugned Judgment, erred in adopting an approach under which the availability and extent of



judicial scrutiny would depend upon whether the subject matter of the dispute falls within the personal or professional expertise of the Court. Such an approach creates an arbitrary and constitutionally impermissible distinction between similarly situated litigants. The constitutional protection guaranteed under Article 14 of the Constitution of India, 1950 (“**Constitution**”), cannot vary according to the academic discipline to which the dispute pertains, nor can access to effective judicial review depend upon the personal subject-matter expertise of the Judge.

- 3.7. Reliance was placed on ***Sumit Kumar v. High Court of Delhi***, 2016 SCC OnLine Del 2818, ***Anjali Goswami v. Registrar General, Delhi High Court***, 2019 SCC OnLine Del 7132, ***Rishabh Duggal v. Registrar General, Delhi High Court***, 2024 SCC OnLine Del 1916, and ***The Commissioner of Police and Anr. v. Amit Gulia and Ors.***, Neutral Citation- 2026:DHC:1760-DB, to submit that where an objective question admits of more than one correct or equally appropriate answer, or where the options fail properly to accommodate the correct answer, a candidate cannot be prejudiced merely because the examining authority intended another answer to be treated as the most appropriate one.
- 3.8. Once the learned Single Judge observed that, owing to “*limited knowledge*”, the learned Single Judge was “*not in a position to analyse the material provided by the petitioner*”, the learned Single Judge



could not thereafter have concluded that the very material relied upon by the Appellants was insufficient to establish an error in the NTA's answer and involved merely "*inferences/logical deductions*".

- 3.9. In the Writ Petition, the learned Single Judge was not called upon to substitute a judicial opinion on Biology for the opinion of subject experts. The limited prayer was that, if upon consideration of the scientific material placed on record the learned Single Judge was unable to determine the scientific issue for want of subject expertise, the disputed question could be referred to an independent expert body for its opinion. However, the learned Single Judge accorded determinative weight to the NTA's assertion that Appellant No. 1's objection had been considered by its subject experts, although the correctness of that very expert determination constituted the subject matter of challenge in the Writ Petition.
- 3.10. The learned Single Judge erred in distinguishing ***Vanshika Yadav v. Union of India***, (2024) 10 SCC 641, merely on the ground that the NTA had, in that case, accepted two options as correct, and ***Shaureen Shamik Ambatkar v. Union of India***, 2024 SCC OnLine Bom 4577, merely by reference to the nature of the defects alleged therein. The said authorities were relied upon by the Appellants to submit that where a challenge to an answer key turns upon a specialised scientific determination beyond the Court's expertise, the Court may seek the opinion of independent subject experts. Whether the examining



authority has itself acknowledged competing correct answers, or continues to defend its answer key, has no bearing on the power of the Court to obtain such independent assistance.

- 3.11. The principle of judicial deference to academic experts cannot be elevated into an irrebuttable presumption in favour of experts engaged by the examining authority itself, particularly where authoritative scientific material to the contrary is placed before the Court. Reliance was placed on ***Aditya Singh (Minor) v. Consortium of National Law Universities***, 2024 SCC OnLine Del 9040, to submit that prior consideration by experts or oversight committees does not create an absolute bar to judicial review where an answer is demonstrated to be erroneous.
- 3.12. The NTA, neither at the stage of deciding Appellant No. 1's objection nor in the Counter Affidavit, provided any scientific analysis, reasoned opinion, minutes, expert report, or other material addressing Appellant No. 1's specific objection or explaining why Statement (c) was incorrect. Significantly, no scientific material was placed by the NTA before the learned Single Judge to demonstrate that Statement (c), namely, "*Reabsorption of Na⁺ and water takes place in Henle's loop*", was scientifically incorrect.
- 3.13. The Appellants do not seek re-evaluation or re-checking of Appellant No. 1's answer sheet. The challenge in the present case is confined to the legality and scientific correctness of the Final Answer Key.



Further, any apprehension regarding the possible effect of correction of the Final Answer Key upon other candidates who appeared in NEET-UG 2026 cannot constitute a ground to perpetuate an erroneous answer to Q150, as the Court retains the power to mould relief appropriately so as to correct an erroneous evaluation while protecting similarly situated candidates from prejudice.

SUBMISSIONS ON BEHALF OF RESPONDENT NO. 1

4. Learned Counsel for Respondent No. 1 made the following submissions:

- 4.1. The challenges to the Provisional Answer Key received from all candidates, including the Objection raised by the Appellants, were placed before a panel of eminent subject experts drawn from premier institutions of national repute, including the Indian Institutes of Technology and premier Central Universities, for their consideration and resolution.
- 4.2. The Final Answer Key was thereafter prepared in accordance with the opinion and recommendations of the respective panel of subject experts and pursuant to their review and settlement of the challenges placed before them, the Result was declared. It was further submitted that a perusal of the extract from the NCERT textbook relied upon by the Appellants would also indicate that the answers to Q150 are debatable.



- 4.3. With respect to the expert opinion furnished by Dr. Singh, the opinion of a single expert cannot be equated with the considered opinion of multiple experts who framed the question and the corresponding answers, evaluated the Provisional Answer Key, considered the challenges received, and thereafter evaluated the Final Answer Key.
- 4.4. The Respondents further submitted that 19,99,895 candidates appeared in NEET-UG 2026, out of whom 11,21,185 candidates qualified, and that Appellant No. 1 is the only candidate, who has challenged the answer to Q150. By allowing the present challenge, it would open the floodgates to similar challenges to the Final Answer Key and would disrupt the entire admission process.
- 4.5. Reliance was placed upon the judgment of this Court in ***National Board of Examination v. Association of MD Physicians***, Neutral Citation: 2022:DHC:2971-DB, to submit that the answer key must be presumed to be correct unless it is demonstrated to be wrong, and that it ought not to be held to be incorrect by an inferential process of reasoning or by a process of rationalisation. Therefore, the error, if any, must be clearly demonstrated.
- 4.6. The Information Bulletin expressly requires a candidate to choose “*the correct answer or the most appropriate answer*”. Reliance was also placed upon ***Ran Vijay Singh v. State of Uttar Pradesh***, AIR



2018 SC 52, to submit that the Court ought to presume the correctness of the key answers and proceed on that basis, and that, in the event of any doubt, the benefit must be given to the examination authority rather than to the candidate.

- 4.7. In view of the aforesaid submissions, it was contended that no interference with the Final Answer Key published by the NTA is warranted.

ANALYSIS AND FINDINGS

5. Heard the learned Counsel for the Parties and perused the material placed on record.

6. The principal contention raised by the Appellants is that Statement (c) in Q150, namely, "*Reabsorption of Na⁺ and water takes place in Henle's loop*", is scientifically correct and, therefore, Option No. 3, which comprises Statements "*(a), (b) and (d) only*", could not have been treated as the correct answer. Further, if all four statements are scientifically correct, none of the options offered by the NTA, all of which use the expression "*only*", correctly represents the complete set of scientifically correct statements.

7. The Appellants contend that the material relied upon by the Appellants, including the prescribed NCERT material, standard medical textbooks and the opinion of Dr. Singh, clearly demonstrate the correctness of Statement (c) in Q150. Accordingly, it was submitted on behalf of the Appellants that the learned Single Judge ought to have examined the material in support of the



objections raised by the Appellants to Q150 or, alternatively, obtained an independent expert opinion.

8. There can be no cavil with the proposition that judicial review of an answer key is not altogether excluded merely because the answer has been considered by subject experts. However, the error alleged must be manifest and palpable and so evident that no reasonable body of persons well versed in the particular subject would regard the answer as correct. It is settled law that an answer key should be assumed to be correct unless it is proved to be wrong and that it should not be held to be wrong by an inferential process of reasoning or by a process of rationalisation. The burden of establishing such an error, in the facts of the present case, is, therefore, upon the Appellants.

9. The Appellants have sought to discharge the said burden by relying upon the prescribed NCERT material, standard medical textbooks and the opinion of Dr. Singh. The material relied upon by the Appellants, however, is required to be considered in the context of the law governing judicial interference with an answer key.

10. The opinion of Dr. Singh states that all the Statements (a), (b), (c) and (d) are correct. Therefore, the said opinion does not help the Appellants as it makes all the answers to Q150 incorrect rather than saying that Option No. 2 selected by Appellant No. 1 was the correct answer.

11. The learned Counsel for the Appellants has also contended that the NTA has not furnished any scientific analysis, reasoned opinion, minutes,



expert report or other material dealing with the specific objection raised by the Appellants and explaining that Statement (c) was incorrect.

12. The said submission, in our view, does not alter the position in the present case. The Appellants' objection was placed before subject experts, and the Final Answer Key was prepared after considering the same. It is settled law that in academic matters, when no *mala fides* have been alleged against the experts constituted to prepare Final Answer Key, the Courts must leave the decisions to the academicians and experts. Evidently, in the present case, the Appellants have not alleged any *mala fides* against the subject experts. In matters of judicial review which involve examination of academic content and award of marks, the evaluation of merits should be left to the expertise of academics.

13. The Appellants have failed to demonstrate that a material error has been committed in the answer prescribed by the NTA to Q150. The presumption, therefore, operates in favour of the correctness of the Final Answer Key and the opinion of the subject experts, and the benefit of any doubt must accordingly go to the examination authority.

14. The Appellants submitted that the expression "*only*" in Option No. 3 proceeds on the basis that Statement (c) is incorrect and, if it found that Statement (c) is scientifically correct, Option No. 3 would necessarily be incorrect. However, the Appellants have failed to establish the correctness of Statement (c) without an inferential process of reasoning or by a process of



rationalisation. The material relied upon by the Appellants requires an inference, logical deduction and reasoning to arrive at the conclusion that Statement (c) is correct.

15. Consequently, the submission based upon the expression “only” in Option No. 3 cannot, by itself, establish that the answer prescribed by the NTA to Q150 in the Final Answer Key is manifestly and palpably erroneous.

16. As regards the constitution of an independent expert committee, the same is a matter of judicial discretion. In the precedents relied upon by learned Counsel for the Appellants, such discretion was exercised having regard to the facts and circumstances obtaining in those cases. In the present case, however, the Appellants have failed to demonstrate a manifest and palpable error in the answer prescribed by the NTA in the Final Answer Key, and the conclusion sought to be established by them requires an inferential process of reasoning and rationalisation. The objection had already been considered by the panel of subject experts constituted by the NTA. The facts and circumstances of the present case are, therefore, materially distinguishable and do not warrant the exercise of such discretion.

17. In our considered view, the restraint exercised by the learned Single Judge in declining judicial intervention in the examination process was appropriate, having regard to the nature of the challenge raised by the Appellants and the limited scope of judicial interference in academic matters,



particularly where the answer in question had already been examined by subject experts.

18. Accordingly, the Appellants have failed to discharge the burden of demonstrating a manifest and palpable error in the answer prescribed by the NTA to Q150 in the Final Answer Key and do not satisfy the threshold warranting interference with the Final Answer Key evaluated by the subject experts. We, therefore, find no infirmity with the conclusion of Impugned Judgement declining to interfere with the Result.

19. For the aforesaid reasons, we do not find any merit in the present Appeal. The present Appeal is, accordingly, dismissed. Pending applications, if any, also stand disposed of. There shall be no order as to costs.

TEJAS KARIA, J

DEVENDRA KUMAR UPADHYAYA, CJ

AUGUST 18, 2026

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