



1

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

**BEFORE**

**HON'BLE SHRI JUSTICE SUBODH ABHYANKAR**

**ON THE 23<sup>rd</sup> OF JUNE, 2025**

**WRIT PETITION No. 17344 of 2025**

***LAXMI DEVI***

*Versus*

***NATIONAL TESTING AGENCY AND OTHERS***

**WITH**

WP/17345/2025,	WP/17715/2025,	WP/17716/2025,	WP/17717/2025,
WP/17718/2025,	WP/17719/2025,	WP/17720/2025,	WP/17721/2025,
WP/17722/2025,	WP/17723/2025,	WP/17724/2025,	WP/17725/2025,
WP/17997/2025,	WP/17998/2025,	WP/18240/2025,	WP/18251/2025,
WP/18482/2025,	WP/18642/2025,	WP/18684/2025,	WP/18685/2025,
WP/18702/2025,	WP/18813/2025,	WP/18815/2025,	WP/18816/2025,
WP/18823/2025,	WP/18824/2025,	WP/18851/2025,	WP/18921/2025,
WP/18925/2025,	WP/18929/2025,	WP/18951/2025,	WP/18955/2025,
WP/18967/2025,	WP/19003/2025,	WP/19026/2025,	WP/19051/2025,
WP/19062/2025,	WP/19142/2025,	WP/19147/2025,	WP/19150/2025,
WP/19160/2025,	WP/19230/2025,	WP/19238/2025,	WP/19286/2025,
WP/19297/2025,	WP/19325/2025,	WP/19330/2025,	WP/19331/2025,
WP/19333/2025,	WP/19334/2025,	WP/19335/2025,	WP/19338/2025,
WP/19340/2025,	WP/19341/2025,	WP/19388/2025,	WP/19417/2025,
WP/19424/2025,	WP/19508/2025,	WP/19509/2025,	WP/19510/2025,
WP/19511/2025,	WP/19512/2025,	WP/19513/2025,	WP/19525/2025,
WP/19527/2025,	WP/19563/2025,	WP/19564/2025,	WP/19568/2025,
WP/19727/2025,	WP/19735/2025,	WP/19755/2025,	WP/19786/2025,
WP/19844/2025,	WP/19998/2025,	WP/20043/2025,	WP/20064/2025,
WP/20201/2025,	WP/20219/2025,	WP/20220/2025,	WP/20248/2025,
WP/20346/2025,	WP/20365/2025,	WP/20366/2025,	WP/20397/2025,
WP/20404/2025,	WP/20439/2025,	WP/20458/2025,	WP/20463/2025,
WP/20474/2025,	WP/20476/2025,	WP/20493/2025,	WP/20496/2025,
WP/20497/2025,	WP/20558/2025,	WP/20561/2025,	WP/20539/2025,
WP/17964/2025,	WP/18997/2025,	WP/19047/2025,	WP/19048/2025,
WP/22852/2025,	WP/22610/2025,	WP/21287/2025,	WP/20251/2025,
WP/20292/2025,	WP/20347/2025,	WP/20392/2025,	WP/20396/2025,
WP/20398/2025,	WP/20400/2025,	WP/20445/2025,	WP/20464/2025,
WP/20471/2025,	WP/20478/2025,	WP/20950/2025,	WP/20960/2025,
WP/21296/2025,	WP/21685/2025,	WP/22083/2025,	

**Appearance:**

Shri Mradul Bhatnagar, Shri Akash Sharma, Shri N.S. Bhati, Shri Nitin Vyas, Shri Amit Raj, Shri Rajnish Yadav, Shri Aman Mourya, Shri Prakhar Karpe, Shri Chinmay Mehta, Shri Dharmendra Thakur, Shri Atul Bukhariya, Shri Madhusudan Dwivedi, Ms. Sapna Patwa, Shri Ajay Ukas, Shri Akash Sharma, Ms. Kirti Patwardhan, Shri Jaswant Singh Chouhan, Shri Rahul Yadav, Ms. Deesha Goyal, Shri Ashish Choubey, Shri Vikas Jain and Shri Arjun Pathak – Advocates for their respective petitioners.

Shri Tushar Mehta – Solicitor General of India through video conferencing with Shri Rupesh Kumar – Senior Advocate with Shri Romesh Dave – Deputy Solicitor General of India assisted by Ms. Pankhuri Shrivastava, Ms. Diksha Paliwal, Ms. Bhumika Dwivedi and Shri Atharava Dave – Advocates for the respondents.

**ORDER**

1. This order shall also govern the disposal of this batch of writ petitions, regard being had to the similitude of the reliefs sought.
2. For the sake of convenience, the facts as narrated in W.P. No.17344 of 2025 are being taken into consideration, in which the following reliefs have been sought:-

“That on the facts stated above and the grounds raised above, petitioner prays for the following reliefs: -

- 1) That the Hon’ble Court be pleased to issue a writ in nature of Certiorari or any other appropriate writ order directing the Respondent no.1 to consider and reconduct the examination for the petitioner or provide alternative solution to ensure fair assessment for the petitioner.
- 2) Any other relief, which the Hon’ble Court deems fit in the facts and circumstances of the case, be granted to the petitioner.”



3

3. The petitioner herein, is a student aspiring to be a doctor and had given the entrance test NEET Undergraduate (UG) Examination 2025, conducted by the National Testing Agency, which is the sole entrance examination for MBBS, BDS and other related courses in the country. The exams are conducted annually which include Physics, Chemistry and Biology subjects, and for this year the exams were held on 04.05.2025, from 2:00 p.m. to 5:00 p.m. at different centers across India, as also in the city of Indore. The grievance of the petitioner is that, due to severe thunderstorm in this part of the country, there was substantial disruption in the supply of electricity leading to power outage, which resulted in forcing the petitioner to give the exam in the dark, which ultimately affected her performance in the examination, as even the extra time was not given for time lost.

4. Counsel for the petitioner has submitted that the petitioner had prepared for the said examination diligently and with utmost dedication and it was her third attempt, but as no power backup was provided in the Centre of the petitioner, viz., the respondent No.2, ILVA Higher Secondary School, Indore, being aggrieved of the power management during the examination, and lack of power backup for around 1 to 2 hours, and taking into account the fact that as per the respondent No.1's website, the results were to be declared on 14.06.2025 the petitioner had no option but to approach this Court by filing this petition under Article 226 of the Constitution of India.

5. Counsel for the petitioner has submitted that if the petitioner's grievance is not redressed, she would suffer extreme prejudice, as not only her entire year's hard work would be wasted without any fault on her part,



but would also have the effect of sending her into depression, and in such circumstances, the petition deserves to be allowed and the respondent be directed to conduct re-examination of the petitioner.

6. In support of his submissions, counsel for the petitioner has also drawn the attention of this Court to the front page of the news of daily newspaper *Dainik Bhaskar*, published on 05.05.2025, which has published a detailed news regarding the outage of power and the resultant darkness, which prevailed in the various examination centres across the city due to heavy weather, which ultimately affected the performance of the students in the centres. Another news has also been published in English daily newspaper, published from Ujjain with the headline “***NEET examines create ruckus at Madhav College over power cut***”. Counsel has also referred to the press release dated of the India Meteorological Department, Ministry of Earth Sciences, which also forecasted rainfall accompanied with thunderstorm and squally/gusty winds which were likely to continue over Northwest India till 7<sup>th</sup> May 2025.

7. To demonstrate that all the petitioners had the same grievance, attention of this court is also invited to W.P. No.19230 of 2025, wherein the petitioners had appeared in the said examination, with Shri Vaishnav Academy School as their centre. In the said petition, it was the third attempt for the petitioner No.1 and sixth for the petitioner No.2.

8. Counsel for the petitioner has also submitted that the same difficulty was faced by the scores of other candidates also, who had appeared in the said examination in various other centres across the city of Indore and Ujjain, in which there was a power outage, the natural light was not sufficient, and no alternative source of light was provided. It is also



submitted that in an online petition, as many as 200 students who had also appeared in the said exam, have also raised their grievance regarding the power outage.

9. Counsel for the petitioner has further submitted that the respondents have also not provided the CCTV footages of the centres, which could have made all the difference, and could have substantiated the grievance of the petitioner that due to power supply disruption, her performance was affected.

10. Counsel for the petitioner has also relied upon certain video clips, including the interview given by the Collector, Indore to a news channel and various video clips of around 2 – 3 centres, in which the students and the parents can be seen in an agitated state of mind, arguing with the authorities regarding the power failure, and one such student is also seen to be raising her grievance that her table also got wet due to rain.

11. Counsel for the petitioner has also submitted that, merely because the students have attempted adequate or more than adequate number of questions, it would not mean that they had no difficulty in answering the same, and their attempt to answer more questions, also reveals their exasperation to get over the time lost by them due to power outage.

12. In support of his submissions, counsel for the petitioner has also relied upon the decision rendered by the Supreme Court in the case of ***Vanshika Yadav Vs. Union of India***, reported as **(2024) 9 SCC 743**.

13. On the other hand, counter affidavit/return has also been filed on behalf of the respondent No.1, traversing the averments made in the petition. Shri Tushar Mehta, learned Solicitor General of India appearing



for the respondent No.1 has submitted that petition itself is not maintainable, as disputed question of facts are involved, which cannot be adjudicated upon under the extraordinary writ jurisdiction of this Court.

**14.** Although, Shri Mehta, at the outset, has also submitted that the respondent's approach to the present batch of petitions is not one of adversarial, as the respondents are also aware of the difficulties faced by the students, however the difficulty was not such as would affect their performance in the examination, which fact also finds support from the report submitted by a Committee, which was constituted for audit of examination centres in Indore, with the Collector, Indore as its Chairperson and other officers of the district administration, including the Police Commissioner of Indore as its members, who, after physically inspecting the various centers have conducted a thorough physical audit, and have opined that in most of the centers, alternative arrangements for supply of electricity were made, and no sooner the complaint was made to the electricity company, restoration of electricity was also done, and in various centers, certain alternative arrangements like candle lights, emergency lights, power backup, inverter etc., were also provided. A similar report has also been submitted by the City Coordinator of NEET Examination, 2025 Zone-I, Indore opining that in all the twelve centers in Zone-1, the exams were conducted in a peaceful manner and as per the rules and regulations.

**15.** Thus, Shri Mehta has submitted that in none of the examination centres, the exams were disrupted due to power failure as per this report. Counsel has also submitted that even otherwise, the respondent has also assessed the performance of the candidates appearing in the aforesaid centres *vis-à-vis* the performance of the students who had given the



examination in those centres not affected by the power disruption, and as per the statistical analysis it has been found that so far as the number of attempted questions between the Centres affected (petitioned) and non-affected by power outage (non-petitioned) in Indore are concerned, no adverse impact was found to have occasioned on the performance of the candidates at the allegedly affected centres.

16. Shri Mehta has also drawn the attention of this Court to the aforesaid statistical analysis report, which is filed as Annexure-R/3 with the return on the merits of the petition. Thus, it is submitted that in such facts and circumstances of the case, by no stretch of imagination can it be said that the petitioner's performance was affected by the power outage. Counsel has also submitted that otherwise also, there was sufficient daylight available in the classrooms, and in addition, during the period of power outage, alternative measures were also adopted including candle lights and torches in the affected examination centres.

17. Learned S.G. has also submitted that if this Court allows the petition, it would be extremely prejudicial to those students who have already passed the examination, and whose results have also been declared. It is further submitted that a similar petition was also filed in the High Court of Judicature at Madras in ***W.P. No.18359/2025 (S. Sai Priya and others Vs. Union of India and others)***, wherein also, it was claimed that there was a power outage between 3:00 p.m. and 4:15 p.m., but the Madras High Court vide order dated 06.06.2025 has already rejected the claim of the petitioners.

18. Shri Mehta, has also submitted that so far as the students who have raised the online grievance and have not approached this Court by



filing the petitions are concerned, they cannot be given any benefit or relief, as that would be outside the scope of this petition also.

**19.** Shri Mehta has also placed on record the following synopsis in support of his arguments :-

“1. NEET (UG) 2025 conducted at **49** Examination Centres in Indore with **27264** registered candidates.

2. Allegations of power outage causing candidates to take examination in insufficient light, filed by 78 Petitioners from 30 Examination Centres.

Centres - no power outage - **10**

Centres - power outage but DG sets used-**19**

Centres - power outage but enough natural light and DG backup-**19**

Centres - power outage for 10-15 mts but sufficient natural light-**02**

Centres - power outage for 1 hour but sufficient natural light-**18**

3. Writ Petitions not filed by candidates from 9 examination centres. Power outage not impacted all candidates as can be seen from below:

(i) As per statistical analysis carried out by experts, average number of questions attempted by candidates at each affected centre are almost the same ranging from 119-127/180.

(ii) On analysis of Marks obtained by all candidates from affected centres, 11 have scored above 600/720 marks and are considered toppers in NEET (UG) 2025.

(iii) Analysis of OMR Answer Sheets of Petitioners reveals that Petitioners have marked considerably good number of Questions in the OMR Answer Sheet. Some have attempted more than 170 number of questions out of a total of 180 questions.

(iv) All the classrooms of all the Centres were of good schools in Indore, which had large windows and were very well ventilated. Examination was conducted from 2:00 pm to 5:00 pm. So cannot be pitch dark.

(v) Answers have been accurately marked/placed in the circle/bubble car marked.

4. In 2014, re-examination was based on High-Level Expert Committee recommendation. This time, the Expert's Committee, through its analysis, submitted that no adverse impact of power outage at the Centres in Indore.

5. If any re-examination is permitted, the same would seriously affect the level playing Field of more than two million candidates.

6. Main difficulty will be preparing a question paper of the same difficulty level. The team of experts will take time. Such question cannot be prepared overnight.



7. Hon'ble Supreme Court, in *Aditi & Ors. Vs. National Board of Examination in Medical Sciences & Ors.* vide Order dt. 30.5.25, while considering the issue of conducting an entrance examination for admission to medical courses in two shifts or in a single shift, held that holding examination in two shifts would invariably enable arbitrariness and would not entail at-par evaluation of the comparative merit of the candidates who take the examinations as no two question papers can ever be said to be at an identical level of difficulty or ease and there is bound to be a variation.”

20. In rebuttal, Shri Mradul Bhatnagar, learned counsel for the petitioner has submitted that many students belong to the lower strata of the society, and are not able to approach this Court by filing separate petitions, and in such circumstances, when admittedly there was a power disruption during the examination, they cannot be compelled to file separate petitions.

21. It is also submitted that so far as the decision rendered by the Madras High Court in the case of *S. Sai Priya (Supra)* is concerned, it was only in respect of five petitions, and was confined to four centres only.

22. Heard counsel for the parties and perused the record.

23. Admittedly, the NEET UG-2025 examination took place on 04.05.2025, from 02:00 p.m. to 05:00 p.m. It is also not disputed that during the aforesaid period, severe thunderstorm had also hit the city of Indore and nearby places, disrupting the power supply at various places, ranging from 10 minutes to 1 hour 20 minutes. In this regard, the report submitted by the Collector, Indore to the National Testing Agency, New Delhi on 18.05.2025 is worth mentioning here, the same reads as under:-

“कार्यालय कलेक्टर, जिला इन्दौर (म.प्र.)

क्र./230/व.लि./2025

इन्दौर, दिनांक:- 18/5/2025

प्रति,

महानिदेशक,

राष्ट्रीय परीक्षा एजेन्सी

फर्स्ट फ्लोर NSIC-MDBP

बिल्डिंग ओखला इण्ड. एरिया

नई दिल्ली 110020



विषय:- दिनांक 04.05.2025 को आयोजित NEET (UG) परीक्षा 2025 के संबंध में प्रतिवेदन।

विषयान्तर्गत दिनांक 04.05.2025 को इन्दौर जिले में 49 निर्धारित केन्द्रों पर NEET (UG) परीक्षा 2025 आयोजन हुई थी। परीक्षा दिवस को प्राकृतिक दिवस को प्राकृतिक प्रकोप यथा- आंधी-बारिश के कारण प्रभावित हुई विद्युत आपूर्ति के संबंध में परीक्षार्थियों को हुई असुविधा के संबंध में प्राप्त शिकायतों के संबंध में प्रतिवेदन चाहा गया है।

उक्त के संबंध में लेख है कि दिनांक 04.05.2025 को आयोजित NEET (UG) परीक्षा 2025 की परीक्षा के दौरान इन्दौर जिले में मौसम खराब होने से आंधी-बारिश की वजह से सिटी को-आर्डिनेटर्स द्वारा प्रस्तुत रिपोर्ट अनुसार 24 परीक्षा केन्द्रों पर 10 मिनट से लेकर 1 घन्टा 20 मिनट तक विद्युत व्यवस्था प्रभावित होने पर प्रतिवेदन प्राप्त हुआ है।

प्रतिवेदन अनुसार अधिकांश परीक्षा केन्द्रों पर वैकल्पिक व्यवस्था से तत्काल आपूर्ति बहाल कर ली गई थी। हालांकि जैसे ही विद्युत व्यवस्था प्रभावित होने की शिकायतें प्राप्त हुईं वैसे ही एम.पी.ई.बी. के द्वारा विद्युत का रिस्टोरेशन किया गया तथा परीक्षा केन्द्रों पर प्रशासन द्वारा वैकल्पिक व्यवस्था यथा-मोमबत्ती, इमरजेंसी लाइट, पावर बेकअप, इन्वर्टर इत्यादि के माध्यम से प्रकाश की व्यवस्था कर परीक्षा करवाई गयी। परीक्षा शांतिपूर्वक संपन्न हुई, कोई प्रमुख व्यवधान नहीं हुआ।

उक्तानुसार वांछित प्रतिवेदन सादर प्रेषित है।

(अशेष सिंह)

कलेक्टर,

जिला इन्दौर

*(Emphasis Supplied)*

24. Similar report has also been given by the City Coordinator, NEET Examination, who is also the Principal of P.M. Shri Kendriya Vidyalaya, Kramank-1, Zone-1 Indore, whose report given to the NTA dated 15.05.2025 reads as under:-

निदेशक,  
नेशनल टेस्टिंग एजेंसी,  
नई दिल्ली।

**विषय:- दिनांक 4 मई 2025(रविवार) NEET (यूजी) 2025 परीक्षा संचालन की रिपोर्ट का प्रेषण बाबत।**

आदरणीय महोदय,

महोदय को अवगत कराना है कि दिनांक 4 मई 2025 (रविवार) को राष्ट्रीय पात्रता सह प्रवेश परीक्षा (NEET-UG) 2025 का आयोजन जिला इंदौर, जोन-1 के अंतर्गत सफलतापूर्वक संपन्न हुआ। इस जोन के अंतर्गत कुल 12 परीक्षा केंद्र स्थापित किए गए थे, जिनमें परीक्षा शांतिपूर्वक और सुव्यवस्थित ढंग से आयोजित की गई।

परीक्षा के दिन अधोहस्ताक्षरी एवं उनकी टीम द्वारा सभी परीक्षा केंद्रों का स्थलीय निरीक्षण किया गया। निरीक्षण के दौरान यह सुनिश्चित किया गया कि परीक्षा संचालन NEET द्वारा जारी दिशा-निर्देशों के अनुसार ही हो।



सभी परीक्षा केंद्रों पर समुचित व्यवस्था पाई गई और कहीं से भी परीक्षा में व्यवधान उत्पन्न होने की कोई शिकायत प्राप्त नहीं हुई।

हालांकि, इंदौर जिले में मौसम में अचानक आए बदलाव के कारण 120 किलो मीटर प्रति घंटा तेज हवा और बारिश के चलते कुछ केंद्रों पर बिजली आपूर्ति बाधित हुई, जिसकी सूचना संबंधित परीक्षा केंद्र अध्यक्षों द्वारा अधोहस्ताक्षरी को दी गई साथ ही सभी परीक्षा केन्द्र अध्यक्षों एवं पर्यवेक्षकों द्वारा अधोहस्ताक्षरी को अवगत कराया गया कि उनके परीक्षा केन्द्रों के सभी कक्षा में समुचित प्राकृतिक प्रकाश था। सभी केंद्रों पर परीक्षा बिना किसी रुकावट के समय पर एवं नियमानुसार पूरी की गई।

निष्कर्षतः NEET (UG) परीक्षा, इंदौर जिला- जोन 1 अंतर्गत सभी 12 परीक्षा केंद्रों पर सफलतापूर्वक शांतिपूर्ण एवं निर्धारित दिशा-निर्देशों के अनुरूप संपन्न हुई।

उक्त रिपोर्ट महोदय की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।

(सुधीर बाजपेयी)

प्राचार्य

पीएम श्री केन्द्रीय विद्यालय क्रमांक-1 इन्दौर

एवं सिटी को- ऑर्डिनेटर

NEET परीक्षा 2025

जोन-1 इंदौर

मध्यप्रदेश

जोन-1 एवं सिटी कोड - 3003"

**(Emphasis Supplied)**

25. Whereas, in a separate report submitted by the Collectorate, Indore, it has noted as many as twelve exam centres in which the power supply was disrupted between 03:45 p.m. to 05:00 p.m., however, in the table as provided in the said report, it is also mentioned that there was no disruption in the examination, the said report reads as under:-

कलेक्टर कार्यालय, इंदौर						
NEET-UG CENTRE LIST 04-05-2025 (REPORT FOR ELECTRICITY FAILURE)						
S.NO.	CENTRE NO.	NAME OF SCHOOL	CENTER_ HEAD_ NAME	DURATION OF POWER CUT	ACTION TAKEN	EXAM DISRUPTION YES/NO
1	3003101	PRIME MINSTER COLLEGE OF EXCELLENCE, SHRI ATAL BIHARI VAJPAYEE GOVERNMENT ARTS AND COMMERCE COLLEGE, INDORE	DR. MAMTA CHANRASHEKHAR	03:45 PM TO 05:00 PM	USED EMERGENCY BULBS	NO
2	3003102	CM RISE GOVT. HIGHER SECONDARY SCHOOL, MUSAKHEDI, INDORE	SHIV SEWAK MOURYA		USED EMERGENCY BULBS	NO



3	3003103	ILVA HIGHER SECONDARY SCHOOL, INDORE	DR. SANJAY MISHRA		PROPER VENTILATION ARE THERE	NO
4	3003104	GOVERNMENT SCHOOL BAL VI HIGHER SECOND INDORE	POOJA SAXENA		PROPER VENTILATION ARE THERE	NO
5	3003105	GOVERNMENT NEW LAW COLLEGE, INDORE	DR. VIPIN KUMAR MISHRA		PROPER VENTILATION ARE THERE	NO
6	3003106	PM SHRI KENDRIYA VIDYALAYA NO 1 INDORE	GIRISH GAUTAM		PROPER VENTILATION ARE THERE	NO
7	3003107	SANMATI HIGHER SECENDARY SCHOOL, INDORE	CHANDRAKANT SHARMA		USED GENERATOR	NO
8	3003108	SHRI G.S. INSTITUTE OF TECHNOLOGY & SCIENCE (SGSITS)	DR VINOD PARE		USED GENERATOR	NO
9	3003109	SHRI G.G. INSTITUTE OF TECHNOLOGY & SCIENCE MAIN BUILDING INDORE	PROF LALIT PUROHIT		PROPER VENTILATION ARE THERE	NO
10	3003110	ST. ARNOLDS SCHOOL, INDORE	MUTHUSELVAM		EMERGENCY LIGHT WAS AVAILABLE	NO
11	3003111	ST. RAPHAEL'S HIGHER SECONDARY SCHOOL, INDORE	SINI JOSEPH		USED GENERATOR	NO
12	3003112	ST. PAUL HIGHER SECONDARY SCHOOL, INDORE	SIBI JOSEPH		USED GENERATOR	NO

26. Along with the report, Principals of various centres have also certified that there was sufficient natural light available in the rooms. It is also found that in the Statistical Analysis report submitted by the respondent No.1, which is prepared by the three member Committee including Prof. Girish Chandra (Chairperson), Department of Statistics, University of Delhi, Prof. Neeraj Joshi (Member) Department of Mathematics, IIT Delhi, and Prof. Chandrabhan Yadav (Member), Department of Statistics, University of Delhi, the conclusion has been arrived at in the following manner :-

#### “CONCLUSION



As it is evident from the analysis with 99% confidence (at the 1% level of significance), there is no evidence to suggest that the power outage at the centres had any significant adverse impact on candidates' performance as measured by the number of questions attempted. Hence, there is no significant difference between the average performance of the candidates who appeared at the affected and non-affected centres.

We have also plotted the following bar diagram indicating the centre-wise average number of responses in affected and unaffected centres in Indore, along with a neighbouring city. This clearly indicates that there are cases of affected centres where the candidates have attempted more numbers of questions than those centres which were unaffected."

*(Emphasis Supplied)*

27. The aforesaid report has also been rebutted by the petitioner in the counter affidavit dated 09.06.2025, specifically stating that the report's reliance on a p-value threshold of 0.01 ignores the material significance of minor but real impact in a competitive exam environment like NEET, where even a difference of 1-2 marks can affect admission into desired colleges.

28. Be that as it may, in the considered opinion this Court, the fact that there was a power disruption during the examination has been admitted by the respondents, and according to the respondents, after the disruption, the concerned centres had also provided alternative mode of light, which included candle lights, torches, emergency lights and inverters. It is also found in the video clips filed by the petitioner that the Collector, Indore, in a video bytes given to a news channel has also admitted that the weather on the said date was unprecedented and has also stated that they would ensure that henceforth, in all such examinations, proper power backup should be provided.

29. So far as the video clips on which the counsel for the petitioner has relied upon, are concerned, it is not clear from which centres the



aforesaid clips have been obtained, although, the name of one of the school can be seen from the video clip, but still, the same cannot be relied upon as it is also not established that these clips are of the same date. However, the Collector's statement to media can certainly be relied upon in the absence of its rebuttal.

**30.** This Court also finds that as per the guidelines provided to the examination centres, one of the condition No. 16 (Annex-P/11) was that the centres must have CCTV installed in them, and admittedly the respondents have not come out with even a single CCTV footage of the classes where exams were being conducted and there was power outage.

**31.** At the time of hearing of this case, this Court, to ascertain as to what level of difficulty might have been faced by the students, had also switched off the lights of the courtroom, which did have an effect of dimming the light in the courtroom to a relatively low levels by way of natural light. However, there are as many as four big glass windows, two on each side and two glass doors, one on both the sides, which allowed some dim natural light to percolate in the courtroom, however, such windows on both the sides of the room may or may not be available in the exam centres, and even if available, it is not known if such windows would allow the sufficient natural light to get into the room even in harsher weather, which prevailed on 04.05.2025.

**32.** So far as the report submitted that the respondent, which is prepared by the Expert Committee is concerned, apparently, the same takes into consideration only the data which has been obtained from various centres, but, is *sans* the adverse weather conditions which prevailed on the said date, leading to power disruption and the resultant adverse effect on



the performance of the petitioner. In the considered opinion of this court, such report which does not take into account the human emotions prevailing at that time, cannot be blindly accepted on its face value. It must be remembered that the exam was only of three hours duration, in which, even for ten minutes, if a student faces a difficulty in reading and writing due to power outage, the same has the effect of rattling ones mental condition, and sufficient to disturb his or her composure and focus for the remaining time

**33.** So far as the decision rendered by the Madras High Court in the case of *S. Sai Priya (Supra)* is concerned, it is found that admittedly, five petitions were filed on account of power disruption in respect of four examination centres only, and in the said case, the statistical analysis report was also submitted by the Expert Committee, which has been accepted by the Court on the ground that no *mala fide* has been pleaded by the petitioner in respect of the members of the said Committee in its report, however, this Court is of the considered opinion that the aforesaid decision is distinguishable on the ground that these petitions are in respect of the various centres at Indore, and one centre at Ujjain, and more than hundred petitions have been filed by the aggrieved students raising the same issue. In the present case, the Statical Analysis report has also been rebutted by the petitioner, and although no mala fide has been pleaded by the petitioner in respect of the said report or the committee, but it only shows the genuine approach of the petitioner by not criticizing the report on the ground which was not available to them.

**34.** So far as the re-examination is concerned, in this regard reference may be had to the decision rendered by the Supreme Court the



case of *Vanshika Yadav (Supra)*, the relevant paras of the same, read as under:-

***B. Previous orders of the Court***

8. Some candidates who had appeared for NEET objected to the award of compensatory marks to 1563 candidates on various grounds. By its order dated 13-6-2024 [*Alakh Pandey v. NTA*, 2024 SCC OnLine SC 1922], this Court noted that NTA constituted another committee to reconsider the issue. The second committee met on 10-6-2024, 11-6-2024 and 12-6-2024 to discuss the grievances raised. It recommended that the grace marks be revoked, and the affected candidates be given the option to take a fresh test.

9. The 1563 affected candidates were given two options—they could either choose to attempt the re-test, in which case they would be ranked based solely on their scores in the re-test, or they could retain their scores from the first test without the compensatory marks. This Court found this course of action to be fair, reasonable and justified. It also recorded the submission of NTA that the re-test would be conducted on 23-6-2024 and the results would be declared before 30-6-2024. The re-test was conducted and the results were declared.

***(Emphasis Supplied)***

35. This Court is of the considered opinion that if the re-examination is directed for only those students, who have approached this Court prior to release of provisional answer key on 3<sup>rd</sup> of June, 2025, their rank can be directed to be based solely on their score in the re-test.

**Objections raised in the Synopsis.**

36. So far as the submission of shri Mehta that some petitioners had given the exam from the centre which did not suffer any power outage is concerned, it is difficult to accept the same on the face of it without any cogent documents to support this contention. In this regard the reports submitted by the center observers filed along with the return are worth taken note of where it has been stated that there was power outage and there was no power backup.



37. The contention that even otherwise it was not pitch dark in the class rooms and the petitioners have also marked the answers accurately by darkening the circles without any difficulty is concerned, this court is of the considered opinion that it was not necessary to have the zero visibility to be not able to read or write because even if the classrooms had some light, but not the sufficient enough for them to read and write, their claim cannot be rejected on the face of it.

38. So far as the preparation of the paper of the same level of difficulty is concerned, this court believes that the respondent no1, with its vast resources would be able to come up with a solution. This court would also be surprised if the respondent no.1 had not prepared any other set of papers as a back up to meet any contingency.

39. So far as the decision of the Supreme Court relied upon by Shri Mehta in the case of *Aditi & Ors. Vs. National Board of Examination in Medical Sciences & Ors.* reported as **2025 SCC OnLine SC 1288** vide Order dt. 30.5.25, is concerned, the same involved an issue of conducting an entrance examination for admission to medical courses in two shifts or in a single shift, which is different from the case at hand and hence, is distinguishable.

40. It is true that there cannot be an at par evaluation of the performance of the candidates who have given exams containing different sets of question papers, as has also been held by Supreme Court that “*the comparative merit of the candidates who take the examinations as no two question papers can ever be said to be at an identical level of difficulty or ease and there is bound to be a variation*”, but the observations made by the Supreme Court were in respect of the proposed examination in two



shifts and not in a case where the examinations were already held and challenged on the ground of power outage.

**41.** In such facts and circumstances of the case, this Court is of the considered opinion that the petitioner/s has/have made out a case for interference under Article 14 as her/they, without there being any fault on their part, was/were put into a disadvantageous position due to power outage, which condition did not prevail in the other examination centre or even in the same centre where some of the students were sitting at favorable spots having sufficient natural light.

**42.** Accordingly, the petition stands allowed, and it is directed to the respondent No.1 National Testing Agency to conduct the examination as expeditiously as possible and declare the results. It is made clear that the petitioner/s rank based solely on her/their scores in the re-test shall be considered.

**43.** It is also made clear that this order shall be applicable to those petitioners who have filed their petitions prior to 3<sup>rd</sup> of June, 2025 only and would also include the petitioners who have appeared in the NEET from Ujjain centre, and also to those petitioners whose results have been declared but the petitions were filed prior to 3<sup>rd</sup> of June, 2025 when the provisional answer key was released, regardless of any interim order having passed in their favor or not. The petitioners who have filed the petitions on or after the 3<sup>rd</sup> of June, 2025 when the provisional answer key was released, would not be entitled to re-examination, as they apparently took a chance by not filing the petition in time and waited for the declaration of results, and if they were really concerned about their



performance due to power outage, they were required to file their petitions prior to release of provisional answer key.

**44.** Since the tentative counselling date is 01.07.2025, it is directed that the counselling shall be subject to the final result of the petitioner/s in the re-test.

**45.** It is made clear that those persons, who have filed the petition after declaration of provisional answer key i.e., 3<sup>rd</sup> June, 2025, shall not be entitled to get any benefit of this order.

**46.** With the aforesaid directions, the petition/s stand *allowed* and *disposed of*.

**(SUBODH ABHYANKAR)**  
**JUDGE**

Bahar