



IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE  
BEFORE

HON'BLE SHRI JUSTICE VIVEK RUSIA  
&  
HON'BLE SHRI JUSTICE BINOD KUMAR DWIVEDI

WRIT APPEAL No. 1842 of 2025  
*NATIONAL TESTING AGENCY AND OTHERS*  
*Versus*  
*LAXMI DEVI AND OTHERS*

*WITH*

WRIT APPEAL No. 1874 of 2025  
*NATIONAL TESTING AGENCY AND OTHERS*  
*Versus*  
*SUDHANSHU AND OTHERS*

WRIT APPEAL No. 1948 of 2025  
*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*  
*Versus*  
*DARSHAN PATIDAR AND OTHERS*

WRIT APPEAL No. 1903 of 2025  
*NATIONAL TESTING AGENCY AND OTHERS*  
*Versus*  
*NAVYA NAYAK*

WRIT APPEAL No. 1957 of 2025  
*NATIONAL INSURANCE COMPANY AND OTHERS*  
*Versus*  
*YASHAHVI (MINOR) THROUGH NATURAL GUARDINA SMT. SHARDA SHEKOKAR AND OTHERS*

WRIT APPEAL No. 1996 of 2025  
*VEDIK PATIDAR*  
*Versus*  
*UNION OF INDIA AND OTHERS*



WRIT APPEAL No. 1905 of 2025

*NATIONAL TESTING AGENCY*

*Versus*

*VAJID HUSSAIN KHAISHAGI*

WITH

WRIT APPEAL No. 1864 of 2025

*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*

*Versus*

*PIYUSH AND OTHERS*

WRIT APPEAL No. 1868 of 2025

*NATIONAL TESTING AGENCY AND OTHERS*

*Versus*

*ALFAIZ AND OTHERS*

WRIT APPEAL No. 1870 of 2025

*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*

*Versus*

*AKRITI SINGH AND OTHERS*

WRIT APPEAL No. 1871 of 2025

*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*

*Versus*

*YASHAS SEN AND OTHERS*

WRIT APPEAL No. 1877 of 2025

*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*

*Versus*

*ISHIKA AND OTHERS*

WRIT APPEAL No. 1878 of 2025

*NATIONAL TESTING AGENCY AND OTHERS*

*Versus*

*PRANSHU RAIKWAR AND OTHERS*



WRIT APPEAL No. 1879 of 2025  
*NATIONAL TESTING AGENCY AND OTHERS*  
*Versus*  
*SHRINIWAS RAVI AND OTHERS*

WRIT APPEAL No. 1881 of 2025  
*NATIONAL TESTING AGENCY AND OTHERS*  
*Versus*  
*NIDHI VARMA AND OTHERS*

WRIT APPEAL No. 1883 of 2025  
*NATIONAL TESTING AGENCY AND OTHERS*  
*Versus*  
*VIVEK AND OTHERS*

WRIT APPEAL No. 1885 of 2025  
*NATIONAL TESTING AGENCY AND OTHERS*  
*Versus*  
*ARAYANA DUBEY AND OTHERS*

WRIT APPEAL No. 1892 of 2025  
*NATIONAL TESTING AGENCY AND OTHERS*  
*Versus*  
*AACHAL AND OTHERS*

WRIT APPEAL No. 1894 of 2025  
*NATIONAL TESTING AGENCY AND OTHERS*  
*Versus*  
*TANISHKA GARG THROUGH NATURAL GUARDIAN FATHER SACHIN GARG AND OTHERS*

WRIT APPEAL No. 1899 of 2025  
*NATIONAL TESTING AGENCY AND OTHERS*  
*Versus*  
*CHAHAK KIRAR AND OTHERS*

WRIT APPEAL No. 1900 of 2025  
*NATIONAL TESTING AGENCY AND OTHERS*  
*Versus*  
*RAHUL PANWAR AND OTHERS*



WRIT APPEAL No. 1901 of 2025  
*NATIONAL TESTING AGENCY AND OTHERS*  
*Versus*  
*DEEKSHA GADWAL AND OTHERS*

WRIT APPEAL No. 1902 of 2025  
*NATIONAL TESTING AGENCY AND OTHERS*  
*Versus*  
*ANJANA NAGAR AND OTHERS*

WRIT APPEAL No. 1904 of 2025  
*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*  
*Versus*  
*DISHA AGARWAL AND OTHERS*

WRIT APPEAL No. 1906 of 2025  
*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN*  
*Versus*  
*GUNGUN AND OTHERS*

WRIT APPEAL No. 1907 of 2025  
*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*  
*Versus*  
*KARAN PATIDAR AND OTHERS*

WRIT APPEAL No. 1909 of 2025  
*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*  
*Versus*  
*ANANYA RAO AND OTHERS*

WRIT APPEAL No. 1910 of 2025  
*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*  
*Versus*  
*NAKUL PANWAR AND OTHERS*



WRIT APPEAL No. 1911 of 2025

*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*

*Versus*

*ABHISHEK PATEL AND OTHERS*

WRIT APPEAL No. 1912 of 2025

*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*

*Versus*

*ANKIT PATEL AND OTHERS*

WRIT APPEAL No. 1913 of 2025

*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*

*Versus*

*SOURABH AND OTHERS*

WRIT APPEAL No. 1914 of 2025

*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*

*Versus*

*MEDHANSH DUBEY AND OTHERS*

WRIT APPEAL No. 1917 of 2025

*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*

*Versus*

*ANSHJEET SINGH KHICHI AND OTHERS*

WRIT APPEAL No. 1918 of 2025

*NATIONAL TESTING AGENCY AND OTHERS*

*Versus*

*YASH AND OTHERS*

WRIT APPEAL No. 1921 of 2025

*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*

*Versus*

*ARYAN SHARMA AND OTHERS*



WRIT APPEAL No. 1923 of 2025  
*NATIONAL TESTING AGENCY AND OTHERS*  
*Versus*  
*VIJAYALAXMI AND OTHERS*

WRIT APPEAL No. 1924 of 2025  
*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*  
*Versus*  
*SONAL YADAV AND OTHERS*

WRIT APPEAL No. 1925 of 2025  
*NATIONAL TESTING AGENCY AND OTHERS*  
*Versus*  
*ARPIT YADAV AND OTHERS*

WRIT APPEAL No. 1926 of 2025  
*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*  
*Versus*  
*ANUSHKA YADAV AND OTHERS*

WRIT APPEAL No. 1927 of 2025  
*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*  
*Versus*  
*ANAND PATIDAR AND OTHERS*

WRIT APPEAL No. 1931 of 2025  
*NATIONAL TESTING AGENCY AND OTHERS*  
*Versus*  
*MUKUND AND OTHERS*

WRIT APPEAL No. 1932 of 2025  
*NATIONAL TESTING AGENCY AND OTHERS*  
*Versus*  
*SACHIN JOSHI AND OTHERS*

WRIT APPEAL No. 1934 of 2025



*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*

*Versus*

*DEEKSHA AND OTHERS*

WRIT APPEAL No. 1935 of 2025

*NATIONAL TESTING AGENCY AND OTHERS*

*Versus*

*ANKIT PATEL AND OTHERS*

WRIT APPEAL No. 1937 of 2025

*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*

*Versus*

*ARYAN VYAS AND OTHERS*

WRIT APPEAL No. 1938 of 2025

*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*

*Versus*

*VAISHALI SINGH AND OTHERS*

WRIT APPEAL No. 1943 of 2025

*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*

*Versus*

*LAKSHMI SINGH AND OTHERS*

WRIT APPEAL No. 1944 of 2025

*NATIONAL TESTING AGENCY AND OTHERS*

*Versus*

*NAVYA SHAH AND OTHERS*

WRIT APPEAL No. 1946 of 2025

*NATIONAL TESTING AGENCY AND OTHERS*

*Versus*

*OJASWI MANDLOI AND OTHERS*

WRIT APPEAL No. 1947 of 2025

*NATIONAL TESTING AGENCY AND OTHERS*



*Versus*

*ROHIT PRAJAPAT AND OTHERS*

WRIT APPEAL No. 1949 of 2025

*NATIONAL TESTING AGENCY AND OTHERS*

*Versus*

*MRINAL AND OTHERS*

WRIT APPEAL No. 1950 of 2025

*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*

*Versus*

*PALASH PATIDAR AND OTHERS*

WRIT APPEAL No. 1951 of 2025

*NATIONAL TESTING AGENCY AND OTHERS*

*Versus*

*ARCHIE ANAYA AGRAWAL AND OTHERS*

WRIT APPEAL No. 1952 of 2025

*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*

*Versus*

*PRARTHANA AND OTHERS*

WRIT APPEAL No. 1953 of 2025

*NATIONAL TESTING AGENCY AND OTHERS*

*Versus*

*KRISHNA AND OTHERS*

WRIT APPEAL No. 1954 of 2025

*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*

*Versus*

*KU VAISHNAVI AND OTHERS*

WRIT APPEAL No. 1955 of 2025

*NATIONAL TESTING AGENCY AND OTHERS*

*Versus*

*AMAN JAT AND OTHERS*





WRIT APPEAL No. 1956 of 2025

*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*

*Versus*

*ARYAN KULHADE AND OTHERS*

WRIT APPEAL No. 1958 of 2025

*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*

*Versus*

*AMISHI JAIN AND OTHERS*

WRIT APPEAL No. 1960 of 2025

*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*

*Versus*

*YATI JAIN AND OTHERS*

WRIT APPEAL No. 1964 of 2025

*NATION TESTING AGENCY AND OTHERS*

*Versus*

*ARNAV SAXENA AND OTHERS*

WRIT APPEAL No. 1965 of 2025

*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*

*Versus*

*NANDANI GHOSH AND OTHERS*

WRIT APPEAL No. 1966 of 2025

*NATIONAL TESTING AGENCY AND OTHERS*

*Versus*

*RAGHAV VERMA AND OTHERS*

WRIT APPEAL No. 1968 of 2025

*NATIONAL TESTING AGENCY AND OTHERS*

*Versus*

*SHREYA SHARMA AND OTHERS*



WRIT APPEAL No. 1971 of 2025  
*NATIONAL TESTING AGENCY AND OTHERS*  
*Versus*  
*MOLI GUPTA AND OTHERS*

WRIT APPEAL No. 1973 of 2025  
*NATIONAL TESTING AGENCY AND OTHERS*  
*Versus*  
*ROHIT AND OTHERS*

WRIT APPEAL No. 1977 of 2025  
*TANUSHKA*  
*Versus*  
*NATIONAL TESTING AGENCY AND OTHERS*

WRIT APPEAL No. 1967 of 2025  
*ANKUR SHARMA*  
*Versus*  
*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*

WRIT APPEAL No. 1969 of 2025  
*AAYUSHI*  
*Versus*  
*NATIONAL TESTING AGENCY AND OTHERS*

WRIT APPEAL No. 1974 of 2025  
*ATHARVA THROUGH NATURAL GUARDIAN SANJAY KUMAR BORSE*  
*Versus*  
*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*

WITH  
WRIT APPEAL No. 1896 of 2025  
*NATIONAL TESTING AGENCY AND OTHERS*  
*Versus*  
*ANKITA SINGH AND OTHERS*

WRIT APPEAL No. 1897 of 2025  
*NATIONAL TESTING AGENCY AND OTHERS*  
*Versus*



*ALVEERA KHAN AND OTHERS*

WRIT APPEAL No. 1898 of 2025

*NATIONAL TESTING AGENCY AND OTHERS*

*Versus*

*NIVEDITHA THOPUCHARLA RAO AND OTHERS*

WRIT APPEAL No. 1908 of 2025

*NATIONAL TESTING AGENCY AND OTHERS*

*Versus*

*AVISHA CHOUHAN AND OTHERS*

WRIT APPEAL No. 1936 of 2025

*NATIONAL TESTING AGENCY AND OTHERS*

*Versus*

*SOUMYA AND OTHERS*

WRIT APPEAL No. 1945 of 2025

*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*

*Versus*

*STUTI SHARMA AND OTHERS*

WRIT APPEAL No. 1976 of 2025

*NAKUL PANWAR*

*Versus*

*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTHERS*

WRIT APPEAL No. 1988 of 2025

*CHANCHAL VERMA*

*Versus*

*NATIONAL TESTING AGENCY AND OTHERS*

WRIT APPEAL No. 1989 of 2025

*ANUSHKA SINHA*

*Versus*

*NATIONAL TESTING AGENCY AND OTHERS*

WRIT APPEAL No. 1991 of 2025

*RAHUL AHIRWAR*

*Versus*



*NATIONAL TESTING AGENCY AND OTHERS*

WRIT APPEAL No. 1992 of 2025

*GOLENDRA KUMAR*

*Versus*

*NATIONAL TESTING AGENCY AND OTHERS*

WRIT APPEAL No. 1993 of 2025

*HARSH SHARMA*

*Versus*

*NATIONAL TESTING AGENCY AND OTHERS*

WRIT APPEAL No. 1994 of 2025

*ARIANA D/O ASIF IQBAL LUCKNOWI THROUGH NATURAL  
GUARDIAN/ FATHER ASIF IQBAL LUCKNOWI*

*Versus*

*NATIONAL TESTING AGENCY AND OTHERS*

WRIT APPEAL No. 2002 of 2025

*SANIYA BANO*

*Versus*

*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTH-  
ERS*

WRIT APPEAL No. 1972 of 2025

*SWARNIMA SINGH*

*Versus*

*NATIONAL TESTING AGENCY THROUGH ITS CHAIRMAN AND OTH-  
ERS*

WRIT APPEAL No. 2026 of 2025

*JAYATI*

*Versus*

*NATIONAL TESTING AGENCY AND OTHERS*

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**Appearance:**

*Shri Tushar Mehta – learned Solicitor General of India (appeared through  
V.C.) along with Shri Rupesh Kumar – learned Senior Counsel assisted by Ms.  
Pankhuri Shrivastava and Shri Romesh Dave – Deputy Solicitor General of India  
assisted by Ms. Diksha Paliwal, Shri Atharva Dave and Ms. Bhumika Dwivedi –*

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*learned counsel for the appellant(s) / respondent(s) – National Testing Agency and Union of India.*

*Shri Vivek Sharan – learned Senior Counsel assisted by Shri Mradul Bhatnagar, Shri N.S. Bhati, Shri Chinmaya Mehta, Shri Aditya Sanghi – learned Senior Counsel (appeared through V.C.) along with Shri Kamal Tiwari, Shri Rohit Kumar Mangal, Shri Ajay Jain, Ms. Kirti Patwardhan, – learned counsel for the appellant(s) / respondent(s).*

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**Reserved on : 10<sup>th</sup> July, 2025**

**Delivered on : 14<sup>th</sup> July, 2025**

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## O R D E R

***Per : Justice Vivek Rusia***

Since the subject matter of these writ appeals is identical in nature, with the joint request of the parties, they are analogously heard and decided by this Court's order.

These batch of writ appeals are filed by the National Testing Agency (NTA) as well as by the students under Section 2(1) of Madhya Pradesh Uchcha Nyayalaya (Khand Nyaya Peeth Ko Appeal) Adhiniyam, 2005 being aggrieved by the common order dated 23.06.2025 passed by the Writ Court in Writ Petition No. 17344 of 2025 and connected petitions filed by 78 students who appeared in the NEET (UG) 2025 examination held on 04.05.2025 from various centres located in Indore and Ujjain.

02. The writ petitions were filed by the students seeking the relief of re-test or any suitable alternative solution because in the examination of NEET (UG), 2025 on 04.05.2025 a severe thunderstorm and rainfall caused power outage during examination hours in several examination centres in Indore as well as in Ujjain which adversely affected their ability to attempt the paper in



optimal conditions. According to the petitioners, there was a visibility issue in these centres due to the lack of light or very dim light. To address such eventualities, there was no proper arrangement for backup lights during power cuts or failures by the NTA and local administration. The writ petitions were contested by the appellants with an admission that though there was a power outage during the examination in question, but denied that natural light was not sufficient to answer the questions by the students and adversely affected their ability and concentration.

03. The Writ Court vide final order dated 23.06.2025 has allowed the petitions and directed NTA to conduct a re-examination for all petitioners / students who had approached the Court before the release of the Provisional Answer Key on 03.06.2025 (cutoff date) while denying re-test to those petitioners/students who had approached the court after 03.06.2025 and also clarified that NEET rank of the petitioners giving re-test would be solely based on the marks obtained in the re-test.

04. Aggrieved by this order, the present appeals are filed by NTA challenging the direction of re-examination and also by the students who have been denied re-test on the ground that they had approached the Court after 03.06.2025 (cutoff date) on which NTA released Provisional Answer Key.

### **CASE OF PETITIONERS**

05. The NEET (UG) 2025 was conducted by the National Testing Agency (NTA) which is an autonomous institute under the Ministry of Education, Government of India in pen-and-paper OMR mode on 04.05.2025 from 2:00 pm to 5:00 pm (03 hours) across



5468 centres nationwide including 49 centres in Indore and 09 in Ujjain. A total of 22.76 lakh candidates appeared for the examination out of which 27,264 candidates were from Indore and 4,025 from Ujjain.

06. The petitioners alleged that due to the storm and heavy rains in the Indore Ujjain region power cut at various centres lasting up to 10 minutes and at some centres up to an hour in Indore and Ujjain, adequate lighting was unavailable which impaired their ability to clearly read and mark the OMR sheets thereby affecting their performance.

07. The petitioners contended that they were made to take the examination in semi-dark or dim light conditions without any alternate lighting or power backup being made available which affected their visibility and affected their ability to read questions and further contended that the disruptions and lack of proper lights caused extreme stress to the students that resulted in performance detriment.

08. The petitioners to substantiate their plea have placed reliance on contemporaneous news reports, weather bulletins from the India Meteorological Department, video footage of distressed examinees and aggrieved parents and the statements of the collector acknowledging power disruptions and vowing future improvements. The petitioners have also highlighted that the NTA failed to collect CCTV footage from the centres which as per its own guidelines ought to have been preserved and could have conclusively indicated the actual light condition in the examination rooms. Several petitioners also relied on their personal performance



histories to indicate the genuineness of their case and also submitted the online grievances raised by them through emails and other forums with NTA seeking relief of re-test.

### **CASE OF THE RESPONDENTS / NTA**

09. On the other hand, the respondents / NTA by filing a detailed return submitted that although certain centres in Indore experienced power outages due to a thunderstorm alternative arrangements such as DG sets and natural light ensured smooth conduct of the examination in question. The respondents relied on-field reports from Centre Superintendents, District Administration and the City Coordinator / observers of NEET asserting that the examination was conducted smoothly with no material disruption. It was submitted that DG sets, emergency lights, and inverters were used in many centres and apart from that sufficient natural light was available in classrooms even during the outage, hence, there was a disturbance to the participants.

10. The NTA also placed on record a Statistical Analysis Report prepared by a Three Members' Expert Committee comprising professors from Delhi University and IIT, Delhi. The report compared the number of questions attempted by candidates from centres affected by power cuts with those from unaffected centres and concluded with 99% confidence at a 1% significance level that there was no statistically significant adverse impact on performance. Further, it was pointed out that the one of top scorer (AIR Rank – 2) has emerged from one of the allegedly affected centres and that many petitioners themselves had attempted nearly all 180 questions which undermines their claims of prejudice.





11. Respondents contended that the allegations raised involved disputed facts, not amenable to writ jurisdiction and that re-conducting the examination would disrupt the national academic calendar. The NTA also cited a recent Madras High Court judgment whereby similar petitions were dismissed.

### **FINDINGS OF THE WRIT COURT**

12. The learned Writ Court upon hearing the parties and perusing the material placed on record has held that the petitioners have made out exceptional case for judicial interference by the High Court. The Writ Court observed that it is an admitted fact that during the NEET (UG) 2025 examination conducted on 04.05.2025, there was disruption due to severe thunderstorms in Indore and surrounding regions leading to a power outage in multiple examination centres. The disruption ranged from 10 minutes to over an hour and this fact stood corroborated by the reports submitted by the Collector, Indore and the City Coordinator of NTA. The Writ Court has also observed that even minimal disruption during a three hours exam could impair focus and performance regardless of the number of attempted questions.

13. The Writ Court has also observed that although alternative lighting arrangements were made such as emergency lights, candles or natural daylight, but all were not sufficient enough for proper visibility. The Writ Court observed that the statistical analysis report by a Three Members' Expert Committee submitted by the NTA focused narrowly on the number of attempted questions ignoring the qualitative and psychological impact of the disruption on candidates' performance in a high-stakes competitive exam and



such evidence could not outweigh the lived experience of the affected candidates. The Writ Court also noted the absence of CCTV footage from affected classrooms despite guidelines mandating CCTV installation.

14. The Writ Court distinguished the reliance placed by the NTA on the Division Bench decision of the Court of Judicature at Madras in the case of *S. Sai Priya & Others v/s Union of India & Others (W.P. No.18359 of 2025)* by observing that the said case involved only five petitions concerning four centres, whereas the instant matter involved over a hundred petitions from various centres in Indore and Ujjain.

15. The Writ Court also distinguished the decision of the Apex court in *Aditi & Others v/s National Board of Examination in Medical Sciences & Others reported in 2025 SCC OnLine SC 1288* by holding that it dealt with the question of uniformity in two-shift examinations and did not apply to a case involving disruption during examination due to unforeseen power outages.

16. The Writ Court relied upon the decision of the Apex Court in *Vanshika Yadav v/s Union of India reported in (2024) 9 SCC 743* wherein the Apex Court had upheld the option of a re-test in cases of exceptional circumstances and allowed a fresh examination with ranks based solely on the re-test scores.

17. The learned Writ Court has denied the relief of re-test to those petitioners who filed their writ petitions after the date of the release of the Provisional Answer Key on 03.06.2025 as they had not acted diligently and *bonafidely* and directed that the NTA shall conduct their re-test of NEET (UG) 2025 examination for only such



petitioners and declare their results based solely on the re-test scores who appeared before 03.06.2025. The benefit of the order was expressly limited to those who had approached the Court before 03.06.2025 and excluded those who waited their chance and had filed the petition as an afterthought after the declaration of Provisional Answer Key. Accordingly, the writ petitions were allowed with the above directions and against this order, the present batch of writ appeals have been filed by the NTA and impacted students impugning the said direction of re-examination and exclusion of some petitioners.

### **SUBMISSIONS OF THE APPELLANT(S)**

18. Shri Tushar Mehta, learned Solicitor General of India, appearing on behalf of the appellants National Testing Agency and the Union of India assailed the impugned order passed by the learned Writ Court as manifestly erroneous both on facts and in law. Learned Solicitor General submitted that the Single Judge had erred in assuming that the occurrence of a thunderstorm and a consequent power outage at certain examination centres, which is an admitted fact for a short duration, had by itself rendered the whole exam of NEET (UG) 2025 at those centres invalid and require the need to conduct a re-test.

19. Learned Solicitor General informed us that the NEET (UG) 2025 examination was conducted on 04.05.2025 across 5468 centres in Pan India with 22.76 lakh candidates appearing in a single shift under a uniform question paper scheme to ensure same parity and the same level of difficulty in the question paper. In Indore and Ujjain alone, 31,289 candidates appeared across 58



centres and out of them only these 78 petitioners constituting a mere 0.28% of the Indore examinees approached the High Court, and even amongst them, candidates from 10 of the 49 Indore centres did not report any grievance.

20. Learned Solicitor General submitted that the NTA had proactively not as and adversely litigant initiated a detailed verification process through reports submitted by the Centre Superintendents, the District Collector of Indore, the NEET City Coordinator, and other officials. The factual matrix from these reports was submitted as follows:-

- (i) At 10 centres, no power failure occurred.*
- (ii) At 19 centres, brief outages were effectively managed through Diesel Generator (DG) sets and emergency lighting arrangements.*
- (iii) At 2 centres, there was a 5–10-minute disruption, but natural daylight and ventilation were sufficient; and*
- (iv) At 18 centres, the outage lasted about one hour, but the centres comprised well-constructed school buildings with large, ventilated classrooms, and the presence of adequate natural light was verified by the authorities.*

21. Learned Solicitor General further submitted that in none of the centres the examination was abandoned as submitted that the Collectors in its Report dated 18.05.2025 and the City Coordinators Audit Report dated 15.05.2025 categorically affirmed that the examination process was duly completed at each centre without any material disruption.

22. Learned Solicitor General placed reliance on the Statistical



Analysis Report prepared by an independent Expert Committee comprising Prof. Girish Chandra (University of Delhi), Prof. Neeraj Joshi (IIT Delhi), and Prof. Chandrabhan Yadav (University of Delhi). The Committee, being neutral and academically competent analyzed centre-wise performance data and concluded with 99% confidence at a 1% level of statistical significance that there was no discernible difference in the number of questions attempted or scores obtained between students from affected and unaffected centres.

23. Learned Solicitor General submitted that the average number of questions attempted across centres ranged between 119 and 127 and that even amongst the petitioners several students attempted over 170 questions, with 11 students from the impugned centres scoring above 600 marks one of whom secured All India Rank 2 and further submitted that this conclusively negated any allegation of systemic prejudice due to the temporary power disruption.

24. The Learned Solicitor General submitted that the petitioners had failed to produce any technical rebuttal to the Committee's methodology, qualifications or conclusions and that the learned Judge had erred in relying on speculative premise of the petitioners that *“even 10 minutes of mental distraction could affect composure”* which cannot displace concrete statistical findings.

25. Learned Solicitor General submitted placed reliance on the judgment of the Apex Court in *Vanshika Yadav (supra)*, wherein the Apex Court had upheld the validity of NEET (UG) 2024 despite allegations of paper leak on the strength of statistical audits



establishing absence of systemic impact and further submitted that the learned Writ Court in the present case failed to apply this binding precedent and erroneously substituted data-backed evidence with judicial empathy.

26. Learned Solicitor General also addressed the absence of CCTV footage and submitted that the temporary power outage naturally rendered the CCTV systems inoperative and that such absence cannot be treated as adverse material, especially when corroborative official records, field inspection reports, and supervisory audits were duly submitted.

27. Learned Solicitor General submitted that the learned Single Judge direction for re-test is impractical as the NEET (UG) exam is conducted in a single shift with one question paper to preserve comparability and fairness. Any deviation from this standard by conducting a re-test for a select few would destroy the level playing field and violate the principles of equal treatment and merit-based selection. Learned S.G. placed reliance on *Aditi & Ors. v. National Board of Examination* reported in 2025 SCC OnLine SC 1288 wherein the Supreme Court held that re-tests in high-stakes national exams should not be ordered absent extraordinary systemic failure as they introduce arbitrariness and comparability distortions.

28. Learned Solicitor General emphasized that awarding grace marks was equally unworkable and posed a rhetorical question *"If AIR-2 is also given grace marks, will he become AIR-1 ?"* to illustrate the unintended consequences of arbitrary grace awards in a national merit-based competition.

29. The Learned Solicitor General concluded submissions that



the impugned direction to conduct a re-test would significantly delay the commencement of this academic session, disrupt the ongoing counselling process and would also affect lakh of other candidates who are not party to the proceedings. Learned Solicitor General submitted other Courts had also not granted similar reliefs and that the Madras High Court had dismissed a similar petition. Learned Solicitor General prayed for interference by this Court by setting aside the impugned order passed by the Writ Court.

30. Shri Rupesh Kumar, learned Senior Counsel supported the submission of the learned Solicitor General and further added that the learned Writ Court had wrongly relied on the case of *Vanishka Yadav (supra)* as the facts of that case were totally different from the present case and *Vanishka Yadav (supra)* case involved allegation of paper leak and wrong question paper being students which cannot be applied to the present case.

31. Learned Senior Counsel relied on paragraphs – 72 to 74 and 78 of *Vanishka Yadav (supra)* and submitted that in this case re-test was allowed after the Expert Committee Report suggested that it is the appropriate remedy and not grace marks for 1563 students.

#### **SUBMISSIONS OF RESPONDENT / WRIT PETITIONER**

32. Shri Mradul Bhatnagar, learned counsel appearing on behalf of the respondents submitted that the impugned judgment does not call for any interference as it is based on correct reasoning and proper appreciation of fact by the learned Writ Court. It is further submitted that the respondents have admitted that there was a power outage in some of centre which had affected the performance of the petitioners. Learned counsel submitted that even after



guidelines provided for sufficient power backup to be available, it was not arranged by the NTA. Learned counsel opposed the contention of NTA that the OMR sheet were properly blackened which shows that sufficient light was available. This is totally misconstrued as the students regularly practiced on the OMR sheet and they were able to do so in dimmed light also best light was not sufficient to solve the questions within a limited time.

33. Learned counsel submitted that the NEET (UG) Examination is a highly technical examination requiring students to make long calculations which is already difficult to do in the deemed light. Learned counsel further submitted that in the initial reply filed by the NTA, the observers of the examination admitted that there was less light and no natural light in the many centres.

34. Learned counsel further submitted that the statistical analysis report did not analyze the stress level undergone by the students during the power outage. Learned counsel submitted that it is not the case of only 75 students but also of all the students who were affected by the power outage. Even if one student is affected, the Supreme Court has granted relief irrespective of the numbers. In support of the aforesaid contentions, learned counsel has placed reliance upon the judgment delivered in the case of *Vanshika Yadav (supra)*.

35. Shri Nitin Singh Bhati, learned counsel supported the submission made by Shri Mradul Bhatnagar and in addition submitted that no level playing field will be established if students of affected centres and unaffected centres are kept at par without giving any relief as the students of the affected centres not only lost





time during examination hours due to power outage but also had to under mental stress due to interruption, even if was for a minute or two.

36. Shri Chinmai Mehta learned counsel submitted that the power to conduct retest is available with NTA as it can be observed from the fact that on the direction issued by the Supreme Court, the NTA had conducted retest in various exams like CUET Exam and also in the NEET Examination conducted last year. In many cases, the NTA, on its own, had also conducted a retest. Thus the contention of the NTA that retest could not be arranged is unjustified.

37. By refuting the contention of NTA that a maximum number of questions have been attempted by the students, learned counsel submits that this contention is inappropriate as in such a situation the students are in the mindset that it is better to attempt the questions as many as possible when the negative marking is such that on four questions being wrong, one mark will be deducted.

38. Shri Vivek Sharan, learned Senior Counsel opposed the contention of NTA that CCTV footage could not be provided due to electricity failure as there was no recording in them and submitted that if the power generators were functioning, then the CCTV footage would be available which could clear the picture regarding conditions of the examination hall. Shri Sharan learned Senior Counsel submitted that there is no difficulty in conducting a re-test because NTA has another set of question papers of the same slandered in safe custody. The NTA always prepares two sets of question papers with the same standard, hence, the second set can



be used for a re-test that will give an equal playing level.

39. Shri Aditya Sanghi, learned Senior Counsel submitted that there was no sufficient power backup as candlelight was provided which itself shows that there was no sufficient lighting. Learned Senior Counsel further submitted that preparation levels of students are different, and some were able to complete the paper early but they remained unaffected by power outage as was the case of student attaining AIR Rank – 2. It is further submitted that the students have burnt the midnight oil and prepared year long and for many of them, this is the last attempt and due to no fault of their own, their performance had suffered because of the poor facility available at the examination centre. Thus, they deserve to be compensated.

**SUBMISSIONS OF THE WRIT APPEAL FILED BY THE STUDENTS**

40. Shri Vivek Sharan, Shri Rohit Kumar Mangal & Shri Mradul Bhatnagar, learned counsel jointly argued that there is no difference between the two groups of students and learned Single Judge had erroneously, on the basis of the cut-off date, denied some of them from re-test. During the hearing of the petitions before the Writ Court, no distinction was made between the students who had filed the petitions before or after 03.06.2025 and those who were denied re-test were not given a chance to put their case separately.

41. Learned counsel further elaborated that many of the students first approached NTA through email regarding their grievance and asking for re-test and thereafter, approached this Court. Hence, the students should not be discriminated against on this ground alone. It



is further submitted that the petitioner as well as all the affected students should be given the option for re-test. It is further submitted that the NTA, while conducting the examination had prepared two sets of question papers having the same level and the unused second set of question papers having the same level is still available with the NTA which can be used to conduct the re-test.

42. Learned counsel further submitted that the present case is also an example of administrative ignorance as the examination authorities were bound to conduct an audit of the centres to check whether proper facilities including power backup were available in case of emergency, however, the same was not properly done which created the current situation. Shri Mangal, learned counsel has placed reliance upon a judgment delivered in the case of *Inder Pal Yadav & Others v/s Union of India & Others reported in (1985) 2 SCC 648*.

43. In response to the aforesaid submission, Shri Rupesh Kumar, learned Senior Counsel appearing for NTA submitted that though power outage is an admitted fact, but the NTA does not have any rules or guidelines framed to conduct re-test and further added that no grace marks could be given as it will affect the result of all the student and would delay the counselling process.

44. While concluding the arguments, the learned Solicitor General submits that even if the Court orders for re-test or giving grace marks, it is practically difficult as there is no proper process or mechanism to identify candidates who should be allowed to appear in the retest or to give grace marks. There is no specific parameters, on which the students were or were not affected can be



differentiated, whereas in the case of *Vanshika Yadav (supra)*, the Expert Committee had method to identify such students.

45. In reply all the counsel appearing for the writ petitioners submitted that a chance should be given to the students of affected centre and it would be their choice to appear or not.

### **APPRECIATION & CONCLUSION**

46. The NTA conducts the NEET (UG) every year for admission of 108000 for MBBS Course in Government as well as Private Medical Colleges / Hospitals. NEET is divided into four subjects viz Physics, Chemistry, Botany & Zoology with 45 questions in total 180 questions. The examination is of objective type, not subjective with negative marking, meaning thereby, four marks are awarded for every correct answer, and one mark is deducted for incorrect answer. The total duration of the Test is 03 hours 25 minutes. This year, 22 lakh students applied for participation in the NEET from different centres situated in 540 cities. This year 49 centres were allocated to NTA for conducting the Examination. Admit cards were issued to 2276069 students. NEET (UG) 2025 was conducted on 04.05.2025 (Sunday) from 2:00 pm to 5:00 pm (IST) in a pen-and-paper mode (OMR Sheet) at 5468 centres in 552 cities across India and 40 cities outside India. Out of 2276069, 2209318 candidates appeared in the Examination. The Examination has been conducted in single shift with a single question paper.

47. It is not in dispute that on 04.05.2025 between 2:00 pm to 5:00 pm, there was heavy rainfall and a thunderstorm in Indore due to which the power supply was affected. According to the writ



petitioners, though they attempted all the questions in the allotted time, but due to the regular power outage and non-availability of proper light, they could not perform well. As per the petitioners' allegation, the local administration on behalf of NTA did not provide alternate modes of light like generator, inverter etc. As per the report given by the Collector, Indore to NTA due to bad weather and a thunderstorm, there was a power failure from 10 minutes to 01 hour 20 minutes in 24 examination centres. In most of the centres, the supply was restored by alternate mode.

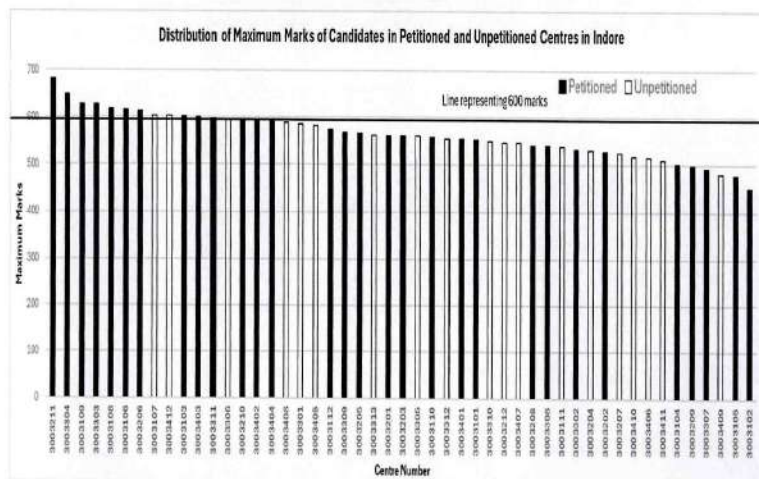
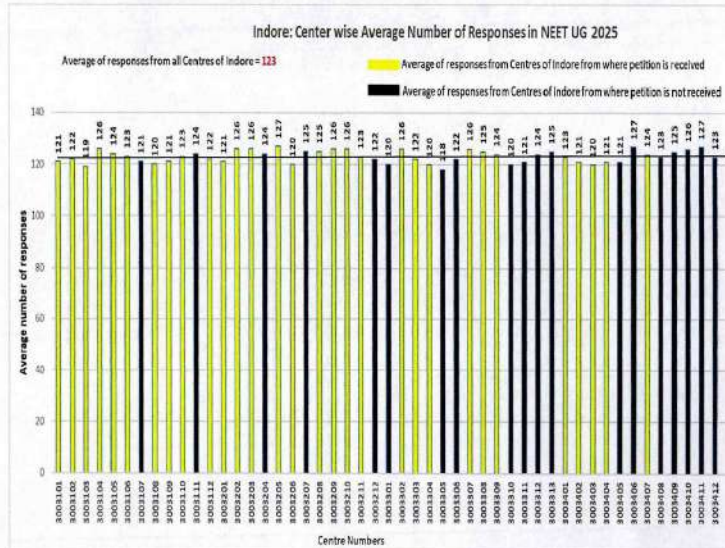
48. After receipt of the complaint, the electricity supply company immediately restored the electricity supply. The local administration had made arrangements for alternate modes like candles, emergency lights, power backup, inverter etc. barring a few. But it is correct that due to the power failure, a disturbance was caused to the students who had to attempt 180 questions in 03 hours 25 minutes with concentration. The situation, which occurred suddenly, was beyond the control of NTA as well as local administration because normally Monsoon never reaches to eastern part of Madhya Pradesh in the first week of May, therefore, no one could anticipate rainfall and thunder in peak summer days. Suddenly, the weather changed, and heavy storms and rain started, in fact nobody was prepared for that, therefore, it was unfortunate for the students that they had to attend the examination during such unpredicted disturbance.

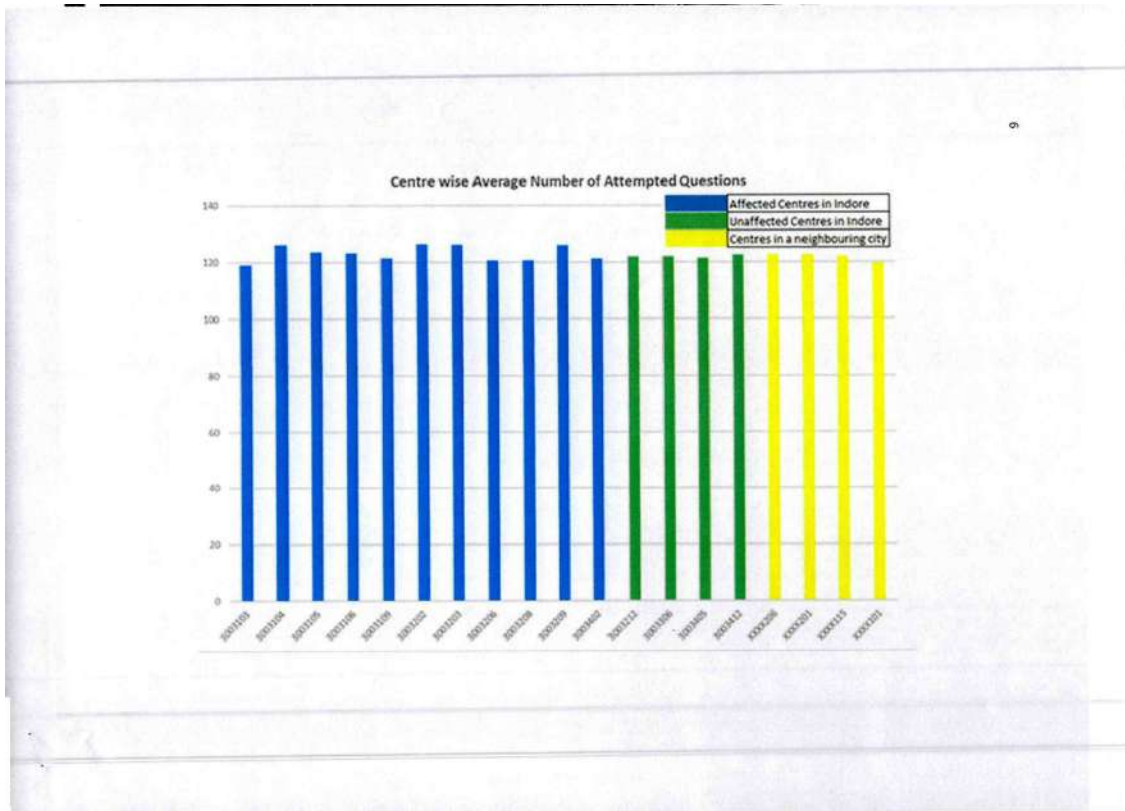
51. As per the figure given by Shri Tushar Mehta, learned Solicitor General, out of 49 centres, in 10 centres there was no power outage, in 19 centres, there was power generator, in 18



centres though there was a power outage but natural light was sufficient to do the examination and in 02 centres there was power outage for less than two minutes. According to Shri Mehta, learned Solicitor General, after solving the questions, the students were required to fill the circle of the correct answer in the OMR sheet and it is apparent from the OMR sheet, that darkens were done perfectly by the students of 18 + 2 centres which show that there was sufficient natural light inside the rooms during the period power supply was obstructed. On average, the students have attempted 123 questions in all the centres which proves that the power outage has not played a significant role in the performance of the candidate in the affected centre. Nothing is on record to show that any of the participants demanded extra time to compensate for the loss of time during power outage. 11 candidates in Indore have obtained 600 marks out of 720 and four candidates are from those centres which faced the power outage. The second topper of the country is also from Indore and is from the centre from where most of the candidates have filed the writ petitions.

52. It is correct that for every child this exam is very important for his future career, but it is also important to note that out of 27264 candidates, only 70 candidates have filed writ petitions complaining about disruption due to power outage which is a very insignificant figure. NTA has tried to explain the average number of responses in NEET (UG), 2025 is 123 from all the centres in Indore by way of bar diagrams and the same are reproduced below:-





53. It is clear from the aforesaid that the result and performance of the writ petitioners were not seriously affected due to bad weather and power outage for some time.

54. The Writ Court and counsel appearing for both sides appellant and respondents have placed reliance upon the judgment delivered in the case of *Vanshika Yadav (supra)*. Learned Senior Counsel for the writ petitioners submitted that in the case of *Vanshika Yadav (supra)*, the Apex Court directed for re-test for 1563 candidates who were initially awarded compensatory marks. Therefore, the Writ Court has rightly directed to conduct a re-test for these writ petitioners which is permissible in exceptional circumstances.





56. Shri Tushar Mehta, learned Solicitor General also submitted that the case of *Vanshika Yadav (supra)* was related to NEET (UG) 2024 where question paper was leaked and illegally circulated amongst students before the conduct of examination in Hazaribagh (Jharkhand) and Patna (Bihar). In that case, the NTA identified 1563 candidates, who did not get 03 hours 25 minutes to answer the question paper and suggested to the Court to take a re-test as per recommendations of the Special Ccommittee. But in the present case, there is no identification of candidates who were affected by this examination. Before the Writ Court only 78 writ petitions were filed and the Writ Court denied the relief to those petitioners who approached after the cut-off date i.e. 03.06.2025. Apart from that, more than 5000 students appeared in the centres where there was a power outage. Some of them have secured qualifying marks and one has secured AIR Rank – 2. All the students are not willing to appear in the re-test.

57. In our opinion, in the case of *Vanshika Yadav (supra)*, the Apex Court has explained *the conditions for issuance direction i.e. litmus test for a re-test, certain aspects such as; whether the alleged breach took place at a systemic level; secondly whether the breach was of a nature which affected the integrity of the entire examination process; and thirdly whether it was possible to segregate the beneficiaries of the fraud from the untainted students.* Therefore, where the entire integrity of the examination was at stake, that could be a consideration for re-testing the entire examination. In fact, the decision to re-test for 1563 students was taken by way of an interim order dated 13.06.2024 by the Apex



Court. Initially, the NTA constituted a Grievance Redressal Committee which recommended awarding compensatory marks to those students who were not allowed to utilize full time i.e. 03 hours and 20 minutes, but were granted lessor time. This was objected to by some of the petitioners before the High Court, thereafter, the NTA constituted another Committee to reconsider the issue which gave its recommendation to conduct the re-test. The said recommendation was placed before the Apex Court and the same was accepted by the Apex Court by way of an interim order dated 13.06.2024, which has been made absolute in the final order in the case of *Vanshika Yadav (supra)* is the consent order. The NTA came up with a proposal of re-testing on the basis of the recommendation of the Committee and accepted by the apex court.

58. In the present case also before taking any decision, the NTA constituted a committee of three independent professors from IIT, Delhi and the said Expert Committee has neither recommended for grant of extra marks nor re-testing. Therefore, NTA has not contested this case as an adversary litigant as rightly said by Shri Tushar Mehta, learned Solicitor General of India. The NTA constituted a Three Members' Committee, all the data was provided to the Committee and thereafter, the Committee recommended that it was not a fit case of awarding compensatory marks or re-testing.

59. So far the case of *Aditi (supra)* is concerned, the Apex Court has rejected the proposal of the petitioner to conduct the examination in two shifts by holding that holding of 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. No two question papers can ever said to be at an identical level of difficulty or ease. Paragraph – 10 of the aforesaid judgment is reproduced below:-

"10. Holding the examination in two shifts would invariably enable arbitrariness and would not entail an at-par evaluation of the comparative merit of the candidates who take the examinations. No two question papers can ever be said to be at an identical level of difficulty or ease. There is bound to be a variation. Normalization may be applied and adopted in exceptional circumstances but not in a routine manner year after year, especially when the number of candidates is not unduly large, as is the case presently."

[Emphasis Supplied]

60. Therefore, the above reasoning also answers the arguments of the learned counsel appearing for the writ petitioners that the NTA prepares the two sets of question papers and a re-test can be conducted from the second set of question papers. Second sets are always prepared in each and every examination in order to be used in case the first set of question papers is leaked, destroyed, lost etc. but in one examination, both sets of question papers cannot be used, either entire examination will be held with one set of question paper or another set of question paper.

61. As said by Shri Mehta, learned Solicitor General, the NTA is not taking up this matter as an adversary litigant, before taking any decision against the student a matter was examined by constituting a committee of experts and later on rejected the prayer for re-test as per opinion given by the such committee. In view of the above, we do not find that it is a fit case for a re-test of NEET (UG) 2005. Hence, all the Writ Appeals filed by the National Testing Agency stand allowed. The impugned order passed by the Writ Court dated 23.06.2025 is hereby set aside, all the writ



petitions are dismissed.

62. Before parting with this case, we would like to explain our concern about the plight of the students. It is correct that writ petitioners prepared a whole year before appearing in this examination which is a turning point in their career. They must have taken coaching from higher and expensive coaching centres along with their regular studies of Higher Secondary School Examinations. Therefore, if they had to face this type of situation, they and their family members may feel in their entire life that because of this incident, they could not reach a place they dreamed in life. It is also a fact to accept that more than 22 lakh students appeared for limited seats of 01 lakh, therefore, the percentage of selection is very low. These students who are feeling that they could not perform well because of power outage in their examination centres, but the other 21 lakh students who appeared in good condition remained unsuccessful. There is no guarantee that even if the re-test is done in all conducive circumstances or atmosphere, they will secure higher marks than this examination.

63. In order to avoid such a situation in future, NTA as well as the local administration of each district are directed to ensure that all the measures, especially the continuity of power supply by way of regular supply or by way of alternate mode of supply, proper sitting arrangement, availability of air and cooling etc. It is the responsibility of the local administration to prepare the list of centres which can be used for these types of important examinations by any of the agencies.

64. Another set of writ appeals are filed by those students who



approached the Writ Court after 03.06.2025. The Writ Court thought that these students did not approach the Court immediately after participation in the examination, they checked their score after the release of Provisional Answer Key, and they approached. It makes no difference whether the writ petitioners approached earlier or later on during the pendency of the writ petitions, but the issue is that all the writ petitioners are similarly placed. They all complained of similar problems which they faced in the examination. The only difference is that they checked their results after the release of the Provisional Answer Key and found that they could not perform well because of this power outage. Some of the writ petitioners, before approaching the Writ Court, made a complaint to the local administration and NTA for re-testing and waiting for the response. Therefore, they are also at par with those who have immediately approached this Court and have been granted the relief. Since the writ appeals filed by the NTA are allowed, therefore, in view of the above discussion no relief can be granted to these appellants,.

65. In view of the above, Writ Appeals filed by students are hereby dismissed.

Let a photocopy of this order be kept in the connected writ appeals also.

(VIVEK RUSIA)  
J U D G E

(BINOD KUMAR DWIVEDI)  
J U D G E