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***IN THE HIGH COURT OF DELHI AT NEW DELHI**

Judgment reserved on: 10.08.2026

Judgment pronounced on: 11.08.2026

+ W.P.(C) NO. 10274/2026, CM APPL. 47576/2026 & CM APPL. 47577/2026

KUSHAGRA MITTAL MINOR & ANR.

...Petitioners

Through: Mr. Nitin Soni, Ms. Puja
Bhusari Soni, Mr. Deepjyot Singh,
Advs.

versus

NATIONAL TESTING AGENCY & ORS.

...Respondents

Through: Mr. Sanjay Khanna
(Standing Counsel), Ms. Pragya
Bhushan, Ms. Jaya Choudhary, Ms.
Meemansa Dixit, Mr. Saurabh
Pandey, Mr. Naman Dwivedi, Advs.
for NTA/R-1.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

J U D G M E N T

1. By way of this writ petition, the petitioners have approached this Court seeking the following prayers:



“a) Issue an appropriate writ, order or direction directing Respondent No. 1 to reconsider the objections and representations raised by the petitioners in respect of Question No. 150 of the Biology Section (Test Booklet Code 80), in the light of the statutory provisions, NCERT text, authoritative material and other scientific literature relied upon by the petitioners, and upon such reconsideration, extend the consequential benefit to Petitioner No. 1 by awarding appropriate marks, if found entitled.

b) Issue an appropriate writ, order or direction directing Respondent No. 1 to revise and correct the result of Petitioner No. 1 in accordance with the decision taken pursuant to the aforesaid directions, and thereafter issue a fresh score card/mark sheet reflecting the corrected marks, rank and all consequential benefits admissible to Petitioner No. 1.

c) Pending the hearing and final disposal of the present writ petition, direct the respondents to reserve/secure one seat commensurate with the revised merit position of Petitioner No. 1, preferably in AIIMS, New Delhi, to which he may become entitled upon grant of the reliefs sought herein, so that the present petition does not become infructuous. ...”

FACTUAL MATRIX AS PER THE PETITIONER

2. The petitioner No. 1 (*“petitioner”*) is a meritorious student aged about 17 years, who appeared in the National Eligibility-cum- Entrance Test (NEET-UG) 2026 examination.



3. The respondent No. 1, namely, National Testing Agency (“NTA”), is the exam conducting authority responsible for the conducting the NEET (UG) examinations.
4. The petitioner appeared for NEET (UG) examination on 03.05.2026, wherein as per the provisional answer key he was likely to secure a perfect score of 720 out of total 720 marks but the examination was subsequently cancelled, and a fresh examination was conducted on 21.06.2026.
5. The petitioner appeared for the said re-examination on 21.06.2026 and upon the release of provisional answer key dated 25.06.2026, the petitioner carefully examined the answer to Question No. 150 of the Biology Section (Test Booklet Code-80), which as per the petitioner was incorrect and not in accordance with the accepted scientific position.
6. The petitioner promptly raised objections against the provisionally correct answer provided for the said question by way of depositing fees, submitting supporting documents and even personally addressing a written representation seeking correction of the answer key.
7. However, in the final result of the examination dated 16.07.2026, the petitioner scored 695 marks out of 720 marks and secured an All India Rank of 65 but his objections to the said question were not considered and the answer given in the provisional answer key was correct.
8. Thus, the answer to Question No. 150 Biology Section (Test Booklet Code-80) is under challenge by way of the present petition.

SUBMISSIONS ON BEHALF OF THE PETITIONER



9. Mr. Soni, learned counsel for the petitioner, submits that the answer marked by the petitioner for Question No. 150 of the Biology Section (Test Booklet Code 80) is scientifically and demonstrably correct because all the options for the said question use the term ‘only’, thereby rendering none of the options correct, particularly since option No. 3 was also a correct option.
10. He further submits that the petitioner is not requesting this Court to substitute itself in place of the subject experts, and is only seeking the intervention of this Court to obtain an independent expert opinion on the answer for said question, which can be granted by the Court since the answer adopted by the respondent No. 1 is demonstrably incorrect in light of credible and authoritative material placed on record.
11. The Courts have, on several occasions, referred questions of the NEET examination to independent experts other than the examining authority and this Hon’ble Court should also refer the aforesaid disputed question to an independent expert body. Reliance is placed on the judgment of Hon’ble Supreme Court titled *Vanshika Yadav v. Union of India*¹ and of Hon’ble Bombay High Court titled *Shaureen Shamik Ambatkar v. Union of India*².
12. It is further submitted that prior consideration of the objection by the examining authority with respect to a disputed question cannot bar judicial review particularly when the matter involves a demonstrably and palpably erroneous answer or an objective infirmity is established.

¹ (2024) 10 SCC 641.

² 2024 SCC OnLine Bom 4577.



Reliance is placed on *Aditya Singh v. Consortium of National Law Universities*³, and *Shivraj Sharma v. Consortium of NLUs*⁴.

13. In situations where more than one answer is correct or where more than one answer is equally appropriate, a candidate cannot be prejudiced merely because the examiner considered one of it to be more appropriate and the question must also be examined from the perspective of the examinee. Reliance is placed on *Anjali Goswami v. Registrar General, Delhi High Court*⁵, *Rishabh Duggal v. Registrar General*⁶, and *Sumit Kumar v. High Court of Delhi*.⁷
14. Mr. Soni also submits that benefit of the correction in the answer for Question No. 150, if corrected, would accrue to all the candidates who appeared in the examinations and all of them are not required to approach this Court. Reliance is placed on *Siddhi Sandeep Ladda v. Consortium of National Law Universities*⁸ and *Shivraj Sharma (supra)*.

SUBMISSIONS ON BEHALF OF THE RESPONDENT NO. 1

15. Mr. Khanna, learned standing counsel for the respondent No. 1, submits that in the interest of transparency, they have created a system whereby the provisional answer key, scanned images of the OMR sheet, and recorded responses obtained from the OMR sheet are displayed to the candidates to enable them to challenge the answer(s) to the questions upon payment of the Rs. 200/- non-refundable fee per question. These objections received from the candidates are then placed before subject

³ 2024 SCC Online Del 9040.

⁴ 2025 SCC OnLine Del 2589.

⁵ 2019 SCC OnLine Del 6829.

⁶ 2024 SCC OnLine Del 1916.

⁷ 2016 SCC OnLine Del 2818.

⁸ 2025 SCC OnLine SC 1144.



experts and the answer key is accordingly modified on the advice of these experts.

16. In the present case as well, all the challenges to the answer(s) contained in the provisional answer key, including that of the petitioner's objection against Question No. 150 of the Biology Section (Test Booklet Code 80), were placed before a panel of experts from premier national institutions and the final answer key was released based on their recommendations. However, the answer to the Question No. 150 remained unchanged as the objection was found to be incorrect and unsustainable by the panel of experts.
17. Mr. Khanna further states that the law with respect to judicial review of answer key is well settled and the answer given by the subject experts shall not ordinarily be interfered with unless there is any manifest error in the answer key or it is patently wrong. Reliance is placed in this regard on the decision of this Court in *Freya Kothari v. Union of India*.⁹
18. It is further stated that the Information Bulletin under its Chapter-4 expressly states that the candidates are required to not merely select the correct answer, but rather select "the correct answer or the most appropriate answer", and that the ability to determine which answer is most appropriate lies solely with the expert body. Thus, in the light of ratio laid down in *Freya Kothari (supra)*, the opinion of the experts shall not be interfered with unless there is a patent, manifest and demonstrable error.
19. He also submits that the academic evaluation of all response sheets has been done as per the standard textbooks, including NCERT, and the

⁹ 2022 SCC OnLine Del 5362.



final answer key has been prepared based on the independent expert panel's recommendations. Thus, except in cases of manifest arbitrariness or demonstrable error, the answer key substantiated by the opinion of subject experts cannot be interfered with by this Court. Reliance is placed on *National Testing Agency v. Sanjeev Kumar*¹⁰, *Maharashtra State Board of Secondary and Higher Secondary Education v. Paritosh Bhupeshkumar Sheth*¹¹, *H.P. Public Service Commission v. Mukesh Thakur*¹², *U.P. Public Service Commission v. Rahul Singh*¹³, *Ran Vijay Singh v. State of U.P.*¹⁴, and *Vikesh Kumar Gupta v. State of Rajasthan*¹⁵.

20. Mr. Khanna also relies on the Clause No. 15.2 of the Information Bulletin of NEET (UG)-2026 to submit that the Information Bulletin clearly states that the decision of the respondent No. 1 on the challenges raised by the candidates shall be final and the results will be declared on the basis of the final answer key only.
21. Additionally, Clause No. 15.4 of the Information Bulletin also provides that there is no provision of rechecking/re-evaluation of the answer sheets, hence, the petitioner cannot further challenge the answer key when his objections have already been considered by the expert committee and the evaluation process has attained finality.

ANALYSIS AND FINDINGS

¹⁰ 2023 SCC OnLine Del 1564.

¹¹ (1984) 4 SCC 27.

¹² (2010) 6 SCC 759.

¹³ (2018) 7 SCC 254.

¹⁴ (2018) 2 SCC 357.

¹⁵ (2021) 2 SCC 309.



22. I have heard the learned counsel for the parties and perused the documents placed on record.
23. Even though the responsibility to protect the fundamental and legal rights of individuals is bestowed upon this Court but sometimes as a rule of prudence and not of abdication, the Courts are required to exercise judicial restraint/deference especially in cases involving subject expertise. The Hon'ble Supreme Court has categorically discussed this in the judgment of **Ran Vijay Singh (supra)** and made the following observations:

“30. The law on the subject is therefore, quite clear and we only propose to highlight a few significant conclusions.

They are:

30.1. If a statute, Rule or Regulation governing an examination permits the re-evaluation of an answer sheet or scrutiny of an answer sheet as a matter of right, then the authority conducting the examination may permit it;

30.2. If a statute, Rule or Regulation governing an examination does not permit re-evaluation or scrutiny of an answer sheet (as distinct from prohibiting it) then the court may permit re-evaluation or scrutiny only if it is demonstrated very clearly, without any “inferential process of reasoning or by a process of rationalisation” and only in rare or exceptional cases that a material error has been committed;



30.3. The court should not at all re-evaluate or scrutinise the answer sheets of a candidate—it has no expertise in the matter and academic matters are best left to academics;

30.4. The court should presume the correctness of the key answers and proceed on that assumption; and

30.5. In the event of a doubt, the benefit should go to the examination authority rather than to the candidate.

31. On our part we may add that sympathy or compassion does not play any role in the matter of directing or not directing re-evaluation of an answer sheet. If an error is committed by the examination authority, the complete body of candidates suffers. The entire examination process does not deserve to be derailed only because some candidates are disappointed or dissatisfied or perceive some injustice having been caused to them by an erroneous question or an erroneous answer. All candidates suffer equally, though some might suffer more but that cannot be helped since mathematical precision is not always possible. This Court has shown one way out of an impasse — exclude the suspect or offending question.”

(Emphasis Supplied)

- 24.** The scope of judicial review in such matters is no longer *res integra* and is well settled by a catena of judicial precedents including the judgment of ***Freya Kothari (supra)*** and the relevant paragraphs of the same read as under:



“8. The scope of judicial review in such cases where the challenge is made to the evaluation of the test papers on the ground that the answer keys as erroneous is well-settled.

9. In Kanpur University v. Samir Gupta, (1983) 4 SCC 309, the Supreme Court in relation to the challenge by the students to the answer key held as under:

“15. The findings of the High Court raise a question of great importance to the student community. Normally, one would be inclined to the view, especially if one has been a paper-setter and an examiner, that the key answer furnished by the paper-setter and accepted by the University as correct, should not be allowed to be challenged. One way of achieving it is not to publish the key answer at all. If the University had not published the key answer along with the result of the Test, no controversy would have arisen in this case. But that is not a correct way of looking at these matters which involve the future of hundreds of students who are aspirants for admission to professional courses. If the key answer were kept secret in this case, the remedy would have been worse than the disease because, so many students would have had to suffer the injustice in silence. The publication of the key answer has unravelled an unhappy state of affairs to which the University and the State



Government must find a solution. Their sense of fairness in publishing the key answer has given them an opportunity to have a closer look at the system of examinations which they conduct. What has failed is not the computer but the human system.

16. Shri Kacker, who appears on behalf of the University, contended that no challenge should be allowed to be made to the correctness of a key answer unless, on the face of it, it is wrong. We agree that the key answer 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. It must be clearly demonstrated to be wrong, that is to say, it must be such as no reasonable body of men well-versed in the particular subject would regard as correct. The contention of the University is falsified in this case by a large number of acknowledged textbooks, which are commonly read by students in U.P. Those textbooks leave no room for doubt that the answer given by the students is correct and the key answer is incorrect.

...

(Emphasis supplied)

10. Similar views have been expressed by the Hon'ble Division Bench of this Court in Salil Maheshwari v. The



High Court of Delhi, 2014 SCC OnLine Del 4563 : (2014) 145 DRJ 225 and Sumit Kumar v. High Court, 2016 SCC OnLine Del 2818. **It has been held that unless it is found that there can be no possibility of doubt that the answer given is incorrect, the Court would refrain from interfering with the examination.**

12. The Hon'ble Division Bench of this Court, in a later decision in Kishore Kumar v. High Court of Delhi : W.P. (C) 9425 of 2018, decided on 29-10-2018, **narrowed down the scope of judicial review and held that merely because some answers or questions are found to be inapt, the same would not call judicial intervention unless the same are found to be ex-facie arbitrary.** It was held as under:

“26. As far as the attack to the answer keys on the merits goes, possibly, the court may on a close analysis conclude that on one or two questions, the answer keys were inapt. However, this has to be weighed in with the fact that the court exercises judicial review jurisdiction. Absent demonstrably facial arbitrariness, its approach should be circumspect and deferential (to the examining body).....”

...

35. The Hon'ble Division Bench of this Court in a recent judgment dated 5-8-2022 in the case of National Board of Examination v. Association of MD Physicians : LPA



225/2021, in similar circumstances where the alleged incorrect questions were challenged in relation to the screening test, conducted in exercise of power under Section 33 of Indian Medical Council Act, held as under:

“17. The foregoing cases cement the finding that Judges are not and cannot be experts in all fields, and the opinion of experts cannot be supplanted by a Court overstepping its jurisdiction. It needs to be demonstrated by a candidate that the key answers are patently wrong on the face of it, and if there is any exercise conducted by the Court wherein the pros and cons of the arguments given by both sides need to be taken into consideration, that will inevitably amount to unwarranted interference on the part of the Court. When there are conflicting views, it is incumbent upon the Court to bow down to the opinion of the experts which, in this case, was the Expert Committee constituted by the NBE.

18. The submissions made by the learned Senior Counsel hold weight inasmuch as the Court cannot step into the shoes of the examiner and render an opinion contrary to that of the Expert Committee. **If the error in the question is manifest and palpable, and does not require any elaborate argument, then the writ court may choose to intervene. However, where the errors do not show their heads without a**



detailed and elaborate probe into the opinions of experts, the Court must stay its hands. It would not be prudent for a Court to conduct itself like an expert in a subject alien to it when an entire body of experts has arrived at a contradictory stand. It is also not for the Courts to interfere in such matters, except in absolutely rare and exceptional cases, especially in view of the fact that the instant examination pertains to the practice of medicine - a field that requires the exercise of utmost care and caution.”

25. From a conspectus of the aforesaid, it is clear that this Court is only required to interfere with the answer given by the examination authorities only in cases where there is an error which is manifest and the answer is demonstrably incorrect on the face of the record.
26. The Question No. 150 of the Biology Section (Test Booklet Code 80) as framed, reads as under:

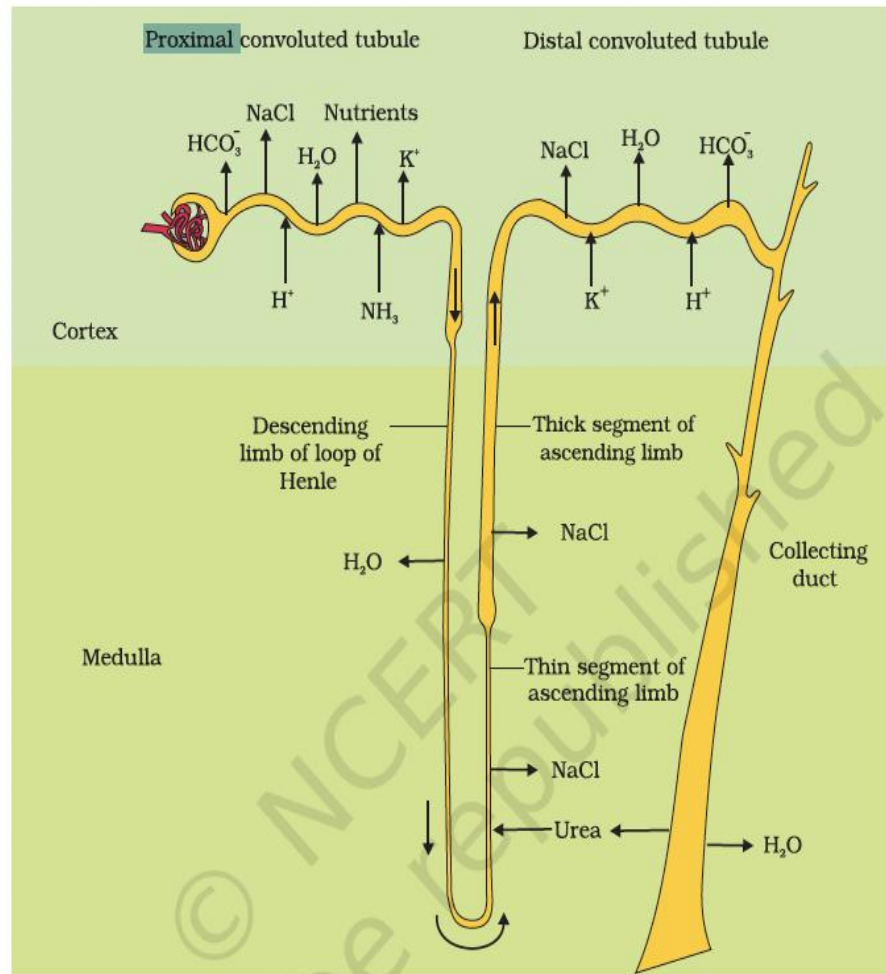
“150. Which of the following statements about the reabsorption process in Henle’s loop are **correct**?

- (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”
27. The petitioner answered option No. 2 (statements (a), (b) and (c) only) for Question No. 150, however, the respondent No. 1 treated only option No. 3 as correct. Consequently, the petitioner lost five marks in total, i.e. one mark deducted by way of negative marking and four marks for the correct answer, which ought to have been awarded to the petitioner.
28. Mr. Soni, learned counsel, has drawn my attention to the diagram depicted at page No. 68 of petition (Annexure P-11), forming part of Chapter-16 titled “*Excretory products and their elimination*” of the NCERT textbook. The said diagram is reproduced as under:



29. He further relies on Annexure P-12 of present petition (page Nos. 78 and 79 of the pleadings) which is the scientific literature titled “*Guyton and Hall Textbook of Medical Physiology*” and the same reads as under:

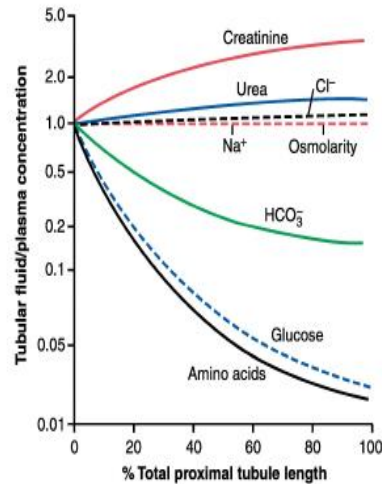


Figure 27-7 Changes in concentrations of different substances in tubular fluid along the proximal convoluted tubule relative to the concentrations of these substances in the plasma and in the glomerular filtrate. A value of 1.0 indicates that the concentration of the substance in the tubular fluid is the same as the concentration in the plasma. Values below 1.0 indicate that the substance is reabsorbed more avidly than water, whereas values above 1.0 indicate that the substance is reabsorbed to a lesser extent than water or is secreted into the tubules.

proximal tubules is so great that water reabsorption keeps pace with sodium reabsorption. Certain organic solutes, such as glucose, amino acids, and bicarbonate, are much more avidly reabsorbed than water, so their concentrations decrease markedly along the length of the proximal tubule. Other organic solutes that are less permeant and not actively reabsorbed, such as creatinine, increase their concentration along the proximal tubule. The total solute concentration, as reflected by osmolarity, remains essentially the same all along the proximal tubule because of the extremely high permeability of this part of the nephron to water.

Secretion of Organic Acids and Bases by the Proximal Tubule. The proximal tubule is also an important site for secretion of organic acids and bases such as *bile salts*, *oxalate*, *urate*, and *catecholamines*. Many of these substances are the end products of metabolism and must be rapidly removed from the body. The *secretion* of these substances into the proximal tubule plus *filtration* into the proximal tubule by the glomerular capillaries and the almost total lack of reabsorption by the tubules, all combined, contribute to rapid excretion in the urine.

In addition to the waste products of metabolism, the kidneys secrete many potentially harmful drugs or toxins directly through the tubular cells into the tubules and rapidly clear these substances from the blood. In the case of certain drugs, such as penicillin and salicylates, the rapid clearance by the kidneys creates a problem in maintaining a therapeutically effective drug concentration.

Another compound that is rapidly secreted by the proximal tubule is para-aminohippuric acid (PAH). PAH is secreted so rapidly that the average person can clear about 90 percent of the PAH from the plasma flowing through the kidneys and excrete it in the urine. For this reason, the rate of PAH clearance can be used to estimate the renal plasma flow, as discussed later.

Solute and Water Transport in the Loop of Henle

The loop of Henle consists of three functionally distinct segments: the *thin descending segment*, the *thin ascending segment*, and the *thick ascending segment*. The thin descending and thin ascending segments, as their names imply, have thin epithelial membranes with no brush borders, few mitochondria, and minimal levels of metabolic activity (Figure 27-8).

The descending part of the thin segment is highly permeable to water and moderately permeable to most solutes, including urea and sodium. The function of this nephron segment is mainly to allow simple diffusion of substances through its walls. About 20 percent of the filtered water is reabsorbed in the loop of Henle, and almost

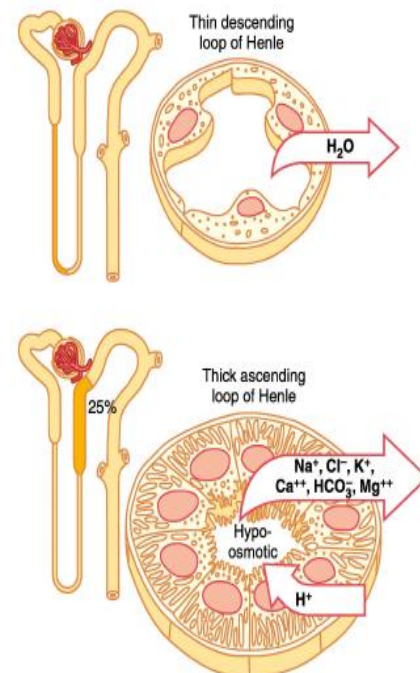


Figure 27-8 Cellular ultrastructure and transport characteristics of the thin descending loop of Henle (top) and the thick ascending segment of the loop of Henle (bottom). The descending part of the thin segment of the loop of Henle is highly permeable to water and moderately permeable to most solutes but has few mitochondria and little or no active reabsorption. The thick ascending limb of the loop of Henle reabsorbs about 25 percent of the filtered loads of sodium, chloride, and potassium, as well as large amounts of calcium, bicarbonate, and magnesium. This segment also secretes hydrogen ions into the tubular lumen.



all of this occurs in the thin descending limb. The ascending limb, including both the thin and the thick portions, is virtually impermeable to water, a characteristic that is important for concentrating the urine.

The thick segment of the loop of Henle, which begins about halfway up the ascending limb, has thick epithelial cells that have high metabolic activity and are capable of active reabsorption of sodium, chloride, and potassium (see Figure 27-8). About 25 percent of the filtered loads of sodium, chloride, and potassium are reabsorbed in the loop of Henle, mostly in the thick ascending limb. Considerable amounts of other ions, such as calcium, bicarbonate, and magnesium, are also reabsorbed in the thick ascending loop of Henle. The thin segment of the ascending limb has a much lower reabsorptive capacity than the thick segment, and the thin descending limb does not reabsorb significant amounts of any of these solutes.

An important component of solute reabsorption in the thick ascending limb is the sodium-potassium ATPase pump in the epithelial cell basolateral membranes. As in the proximal tubule, the reabsorption of other solutes in the thick segment of the ascending loop of Henle is closely linked to the reabsorptive capability of the sodium-potassium ATPase pump, which maintains a low intracellular sodium concentration and a negative electrical potential in the cell. The low intracellular sodium concentration in turn provides a favorable gradient for movement of sodium from the tubular fluid into the cell. *In the thick ascending loop, movement of sodium across the luminal membrane is mediated primarily by a 1-sodium, 2-chloride, 1-potassium co-transporter* (Figure 27-9). This co-transport protein carrier in the luminal membrane uses the potential energy released by downhill diffusion of sodium into the cell to drive the reabsorption of potassium into the cell against a concentration gradient.

The thick ascending limb of the loop of Henle is the site of action of the powerful “loop” diuretics furosemide, ethacrynic acid, and bumetanide, all of which inhibit the action of the sodium, 2-chloride, potassium co-transporter. These diuretics are discussed in Chapter 31.

The thick ascending limb also has a sodium-hydrogen counter-transport mechanism in its luminal cell membrane that mediates sodium reabsorption and hydrogen secretion in this segment (see Figure 27-9).

There is also significant paracellular reabsorption of cations, such as Mg^{++} , Ca^{++} , Na^+ , and K^+ , in the thick ascending limb owing to the slight positive charge of the tubular lumen relative to the interstitial fluid. Although the 1-sodium, 2-chloride, 1-potassium co-transporter moves equal amounts of cations and anions into the cell, there is a slight backleak of potassium ions into the lumen, creating a positive charge of about +8 millivolts in the tubular lumen. This positive charge forces cations such as Mg^{++} and Ca^{++} to diffuse from the tubular lumen through the paracellular space and into the interstitial fluid.

The thick segment of the ascending loop of Henle is virtually impermeable to water. Therefore, most of the water delivered to this segment remains in the tubule despite reabsorption of large amounts of solute. The tubular fluid

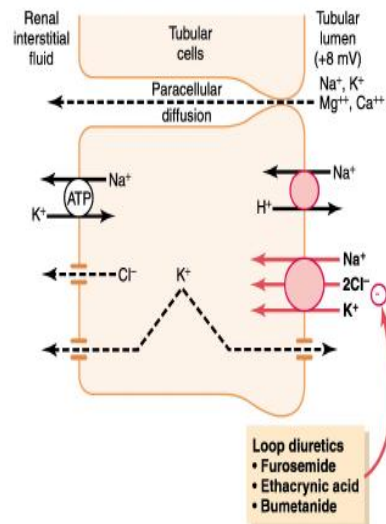


Figure 27-9 Mechanisms of sodium, chloride, and potassium transport in the thick ascending loop of Henle. The sodium-potassium ATPase pump in the basolateral cell membrane maintains a low intracellular sodium concentration and a negative electrical potential in the cell. The 1-sodium, 2-chloride, 1-potassium co-transporter in the luminal membrane transports these three ions from the tubular lumen into the cells, using the potential energy released by diffusion of sodium down an electrochemical gradient into the cells. Sodium is also transported into the tubular cell by sodium-hydrogen counter-transport. The positive charge (+8 mV) of the tubular lumen relative to the interstitial fluid forces cations such as Mg^{++} and Ca^{++} to diffuse from the lumen to the interstitial fluid via the paracellular pathway.

in the ascending limb becomes very dilute as it flows toward the distal tubule, a feature that is important in allowing the kidneys to dilute or concentrate the urine under different conditions, as we discuss much more fully in Chapter 28.

Distal Tubule

The thick segment of the ascending limb of the loop of Henle empties into the *distal tubule*. The first portion of the distal tubule forms the *macula densa*, a group of closely packed epithelial cells that is part of the *juxtaglomerular complex* and provides feedback control of GFR and blood flow in this same nephron.

The next part of the distal tubule is highly convoluted and has many of the same reabsorptive characteristics of the thick segment of the ascending limb of the loop of Henle. That is, it avidly reabsorbs most of the ions, including sodium, potassium, and chloride, but is virtually impermeable to water and urea. For this reason, it is referred to as the *diluting segment* because it also dilutes the tubular fluid.

Approximately 5 percent of the filtered load of sodium chloride is reabsorbed in the early distal tubule. The *sodium-chloride co-transporter* moves sodium chloride from the tubular lumen into the cell, and the



30. The petitioner has also relied upon the opinion of Dr. Yogesh Singh Professor, Department of Physiology, AIIMS Rishikesh (Annexure P-16), which reads as under:

To whom so ever it may be concerned

26

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

In the above-mentioned question No. 150

- **ALL statements: a, b, c, d are CORRECT**

Yogesh
24-10-2026

Dr Yogesh Singh

Professor, Department of Physiology

AIIMS Rishikesh

डॉ० योगेश सिंह / Dr. Yogesh Singh
आचार्य/Professor
शरीर क्रिया विज्ञान विभाग
Department of Physiology
एम्स ऋषिकेश / AIIMS, Rishikesh



31. From the scientific literature and expert opinion as reproduced above, the petitioner attempts to substantiate his case that there cannot be one correct answer to the said question as all the statements given therein are correct, thereby rendering all the options incorporated for the said question incorrect.
32. Additionally, the petitioner by relying on these scientific literatures and multiple judicial precedents has urged that this Court can and should constitute a committee of subject experts to examine the correctness of the answer given by the subject expert panel of the respondent No. 1. However, I am unable to agree with the same.
33. In the present case, the question papers are prepared by subject experts. Thereafter, once the provisional answer key is displayed, the objections received from the candidates are considered and examined by the subject experts of respondent No. 1. It is only when the subject experts, upon examining the objections, find merit therein, the final answer key is modified.
34. In paragraph No. 16 of the Counter Affidavit on behalf of the respondent No. 1, it has been stated that the challenges to answers contained in the provisional answer key received from all the candidates (including the petitioner) were placed before a panel of eminent subject experts drawn from premier institutions of national repute for consideration and settlement. Hence, the final answer key has been duly approved by the eminent subject experts.
35. This Court does not, and cannot, have the expertise to sit over the opinion and findings of the subject experts, and must give in to their



expert opinion unless the answers determined by the expert are demonstrably incorrect.

36. I, with my limited knowledge, am not in a position to analyse the material provided by the petitioner and give an opinion in petitioner's favour.
37. What is a manifest error in a question and a demonstrably incorrect answer to my mind would mean a fact, so evident/stark, that no reasonable body of men well versed with a particular subject would regard it as correct, however, the onus to prove it before this Court lies with the petitioner, which in the present case is not discharged. The issues raised by the petitioner are more in the nature of inferences/logical deductions and applications, which cannot be drawn by this Court due to its limited knowledge of the subject.
38. Additionally, the Point No. 3 in the Chapter-4 of the Information Bulletin of NEET (UG)-2026 issued by the respondent No. 1 reads as under:

“3 IMPORTANT POINTS TO NOTE:

To answer a question, the candidate needs to choose one option corresponding to the correct answer or the most appropriate answer. Marking will be done as per following criteria :

- (i) **Correct answer or the most appropriate answer:** Four marks (+4)
- (ii) Any incorrect option marked will be given minus one mark (-1).
- (iii) *Unanswered: No mark (0).”*



39. The petitioner has relied upon ***Vanshika Yadav (supra)*** to contend that the Court can constitute an expert panel/committee for seeking an opinion. However, the facts in ***Vanshika Yadav (supra)*** are distinguishable. In the said case, initially NTA's answer key indicated 4th option as correct, but based upon numerous representations submitted to NTA, a decision was taken to treat both options 2nd and 4th as correct and thereafter, all the students, who had selected either the 2nd or 4th option, were awarded full marks. It was in these circumstances, that the Court constituted a three-member committee to determine the correct answer.
40. The judgment of Hon'ble Bombay High Court, Nagpur Bench in the case of ***Shaureen Shamik Ambatkar (supra)*** is also distinguishable on facts, as in the said case, two questions were challenged by the petitioner, one on the ground that it is beyond the prescribed syllabus and the other on the ground that the question itself was incorrect, which is not the case here in the present factual matrix.
41. Reliance is also placed on ***Aditya Singh (supra)*** to contend that the power of judicial review for questions which have already undergone elaborate expert/oversight process, cannot be interdicted. There is no quarrel with the said proposition, but the question is when is the judicial review required to be undertaken.
42. It is settled principle of law that in such cases the Courts are not required to have a total "hands-off approach" but the Court should interfere only in exceptional circumstances, where the incorrect answer stares in the face. As already discussed above, the same is not the factual matrix of the present case.



43. The other judgments relied upon by the petitioner primarily concern examinations relating to appointment of Judicial Officers and/or examinations for entry in law institutes. In such cases, Courts are adequately equipped to analyse the questions, the answers thereto, and their correctness/incorrectness. The same approach is not apposite in relation to a subject like Biology.

CONCLUSION

44. In this view of the matter, there is no doubt that the petitioner is an extremely bright, intelligent and hardworking student but this Court cannot come to his assistance in the factual matrix narrated above and can only express its sympathy.
45. Accordingly, the petition is dismissed along with pending applications.
46. The written submissions on behalf of the petitioner and Counter Affidavit on behalf of the respondent No. 1, tendered across the bar are taken on record.

JASMEET SINGH, J

AUGUST 11th, 2026/(SS)