



2026:AHC:22714

Judgement Reserved On:-19.01.2026
Judgement Delivered On:- 03.02.2026

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 45517 of 2025

Avneesh Gupta (Minor)

.....Petitioner(s)

Versus

Consortium of National Law Universities

.....Respondent(s)

| | |
|---------------------------|--------------------|
| Counsel for Petitioner(s) | : In Person |
| Counsel for Respondent(s) | : Avneesh Tripathi |

Court No. - 37

HON'BLE VIVEK SARAN, J.

1. Heard Sri Atul Gupta in person in support of the petitioner and Sri Ashok Khare, learned Senior Counsel assisted by Sri Avneesh Tripathi, learned counsel for the sole respondent.

2. Instant writ petition has been filed with the following relief:-

"i. Issue a writ of mandamus or any other similar writ, order or direction thereby requiring the Respondent to withdraw the incorrect questions and/or award marks against such question and also against the option which is also correct and modify the marks and rank of the Petitioner accordingly in Common Law Admission Test-2026 (CLAT-2026) for admission to 5-year LL.B. courses conducted by National Law Universities in the 2026-27 session; and

ii. Issue a writ of mandamus or any other similar writ, order or direction thereby commanding the respondent to re-constitute a new and independent expert committee for consideration and evaluation of the objections filed by the petitioner on

11.12.2025 and direct to the respondent to declare that either the disputed questions are incorrect or multiples answers/options are correct in question papers of Common Law Admission Test-2026 (CLAT-2026);

iii. Issue a writ of mandamus or any other similar writ, order or direction thereby commanding the respondent to correctly examine and revise the marks and rank of the petitioner individually qua questions no. 6, 9 and 13 as stated above in respect of Common Law Admission Test-2026 (CLAT-2026) held on 07- 12-2024 without interfering or changing the marks awarded to other candidates.

iv. Issue a writ of mandamus or any other similar writ, order or direction thereby commanding the respondent to issue a separate rank-list vis-à-vis marks awarded to all individuals culminated in a single list to enhance transparency in allocation of ranks and in further process of Admission Counseling for CLAT UG examination; and

v. issue a writ of mandamus or any other similar writ, order or direction thereby commanding the respondent to recalculate the marks of the Petitioner in accordance with the revised and corrected answer key so to be prepared; and place the petitioner at the appropriate rank in the merit list prepared after such review."

Brief Facts to the Present Writ Petition:-

3. Brief facts of the case are that the petitioner appeared in the Common Law Admission Test-2026 (hereinafter referred to as 'CLAT-2026) conducted by the respondent/Consortium of National Law Universities on 7.12.2025 at *SRM IST, Delhi NCR Campus, Ghaziabad, Delhi-Meerut Road, Sikri Kalan, Modinagar, Ghaziabad, Uttar Pradesh-201204*, i.e. the test center, allotted by the respondent, with admit card No. 327711495.

4. The petitioner had attempted various questions but by means of this petition he has confined his challenge to the answers of question nos. 6, 9 and 13 of the test Booklet-C, these questions correspond to question nos. 88, 91 and 95, respectively to the Master Booklet-A given to him and according to his understanding all the answer marked by the petitioner were correct.

5. On 10.12.2025 the respondent released provisional answer key and invited objections. The petitioner submitted a detailed objection via the online portal and paid requisite fee. Thereafter final answer key was released on 16.12.2025 however in the final answer key wherein no change of the answers was recorded. The petitioner was selected and called to participate in the counselling by Email communication filed as Annexure 8. Since the petitioner's answers were correct and his objections were improperly considered and wrongly rejected, thus the petitioner approached this Court ventilating his grievance.

Submissions of the Petitioner:-

6. It has been contended on behalf of the petitioner that firstly the respondent had erred in rejecting the objections raised by the petitioner for question Nos. 6,9 and 13 of the booklet-C as all the said questions related to logical reasoning and the plane reading of the questions would itself demonstrate that the objections raised by the petitioner were correct. In support of his contention the petitioner submitted that as per his understanding of question and his analysis to reach to the conclusion i.e. the answers which he found to be correct are in fact correct. He further submitted that the respondent has filed the expert opinion about question no. 9 of booklet-C (correspond to question no. 91 of booklet-A) which state that both the answers 'B' and 'D' are correct but was incorrectly rejected by the Oversight Committee without assigning any reasons, which is evident from the counter affidavit. He further submitted that this Court has territorial jurisdiction over the matter as the petitioner has appeared at the test center at District Ghaziabad, Uttar Pradesh as such part of cause of action arose at Ghaziabad (U.P.). He further submitted that due to incorrect evaluation the petitioner has got a lesser score and has been placed lower in the merit list and thus has been denied opportunity of choice to take admission in an institute of his choice. He placed reliance on the judgement rendered by the Hon'ble Delhi High Court *In Re: (1) Aditya Singh (Minor) vs. Consortium of*

*National Law Universities,*¹(2) *Shivraj Sharma vs. Consortium of National Law Universities and others,*²(3) *Siddhi Sandeep Ladda vs. Consortium of National Law Universities and Another,*³ (4) *Birla Institute of Technology Mesra, Ranchi vs. Yamini Shukla and others,*⁴ (5) *Kapil Kumar and 7 others vs. State of U.P. and 4 others,*⁵ (6) *Rishabh Mishra and others vs. State of U.P. Thru. Secy. Basic Edu. LKo and others.*⁶

Submissions Of The Learned Counsel For The Respondent:-

7. Sri Ashok Khare, learned Senior Counsel for the respondent has submitted that firstly this Court do not have a territorial jurisdiction to decide the matter as the respondent authority is registered in the State of Karnataka and had carried out all the procedure in the State of Karnataka and thus only by appearing at the examination center at Ghaziabad, this Court shall not be having a territorial jurisdiction to decide the matter.

8. He further submits that even otherwise this Court should not venture into the correctness of a question which are in exclusive domain of the Experts and he has relied upon the judgement of Hon'ble Superme Court passed *in Re. Ran Vijay Singh and Others vs. State of U.P. and Others,*⁷

9. Heard learned counsel for the parties and perused the record.

10. Issues which are falls for consideration before this Court are:-

(i) Whether this Court is having territorial jurisdiction to decide the issue?

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1. 2024 SCC OnLine Del 9040
 2. 2025 SCC OnLine Del 2589
 3. 2025 SCC Online SC 1144
 4. 1995 SCC OnLine All 673
 5. 2023SCC OnLine All 4024
 6. 2021 SCC OnLine All 937
 7. 2018 0 AIR(SC) 52

(ii) Whether this Court can enter into the merits of the matter and if so what relief can be granted?

Issue (i)

11. There is no dispute that the petitioner had appeared at the SRM Ist, Delhi Campus, Ghaziabad and gave his examination.

12. In order to exercise the powers vested in Article 226 of the Constitution of India, this Court must have a territorial jurisdiction over the subject matter of dispute before it and for which Article 226(2) of the Constitution of India provides as under:-

"226. (2) The power conferred by clause (1) to issue directions, orders or writs to any Government, authority or person may also be exercised by any High Court exercising jurisdiction in relation to the territories within which the cause of action, wholly or in part, arises for the exercise of such power, notwithstanding that the seat of such Government or authority or the residence of such person is not within those territories."

13. Thus, it is clear that even for small fraction of cause of action which take place in the territorial limit of the High Court, it would be having jurisdiction to decide the matter.

14. The Hon'ble Supreme Court of India *in Re: Kusum Ingots and Alloys Ltd. vs Union of India and Another*,⁸ while deciding the issue of cause of action regarding exercise of powers under Article 226 of the Constitution of India has held in paragraph no. 10, as under:-

"10. Keeping in view the expressions used in clause (2) of Article 226 of the Constitution of India, indisputably even if a small fraction of cause of action accrues within the jurisdiction of the Court, the Court will have jurisdiction in the matter."

15. In such view of the matter, since the petitioner has appeared and participated in the entrance examination held by the respondent situated at District Ghaziabad, U.P., a part of cause of action arose within the

8. (2004) 6 SCC 254

territorial jurisdiction of this Court and therefore this Court is having jurisdiction to decide the matter and the issue no. 1 is decided accordingly.

Issue No. (ii)

16. The competence of Court to enter into the merits of evaluation made by an authority in an examination has come to be questioned time and again.

17. The Hon'ble Supreme Court *in Re: Ran Vijay Singh and Others (Supra)*, has held that the courts should restrained themselves from re-evaluating or scrutinizing the answer sheets of a candidate as it has no expertise, the relevant extract from the said judgment is as follows:-

“30. ... (iii) The Court should not at all re-evaluate or scrutinize the answer sheets of a candidate- it has no expertise in the matter and academic matters are best left to academics;...”

18. Similarly the Hon'ble Supreme Court *in Re: Uttar Pradesh Public Service Commission, through its Chairman and Another vs. Rahul Singh and Another*,⁹ has reiterated the said proposition in paragraph 13, which reads as under:-

“13. ...Judges cannot take on the role of experts in academic matters. Unless, the candidate demonstrates that the key answers are patently wrong on the face of it, the Courts cannot enter into the academic field, weigh the pros and cons of the arguments given by both sides and then come to the conclusion as to which of the answer is better or more correct.”

19. The petitioner on the strength of the judgement rendered *in Re: Aditya Singh (Minor) (supra)*, (2) *Shivraj Sharma (supra)*, (3) *Siddhi Sandeep Ladda (supra)*, (4) *Birla Institute of Technology Mesra, Ranchi (supra)*, (5) *Kapil Kumar and 7 others (supra)* (6) *Rishabh Mishra and others (supra)*, tried to persuade that the questions were simple and can be evaluated by this Court itself.

9. (2018) 7 SCC 254

20. Having gone through the records and the judgement so cited by either parties this Court is of the considerate opinion that the answers of such a competitive examination should be left to the wisdom of the experts.

21. In the instant case, Expert Committee has gone into the objections and has given its opinion/answers which are as follows:-

- a. For question no. 6 of booklet-C (correspond to question no. 88 of booklet-A) option ‘B’ is correct.
- b. For question no. 9 of booklet-C (correspond to question no. 91 of booklet-A) both options ‘B’ and ‘D’ are correct.
- c. For question no. 13 of booklet-C (correspond to question no. 95 of booklet-A) option ‘C’ is correct.

22. Thus the said answers given by the Expert Committee in the considered opinion of this Court need no alteration.

23. It is however seen that as for the question no. 9 of booklet-C (correspond to question no. 91 of booklet-A), the Oversight Committee has overruled the said decision of the Expert Committee and had retained correct option as answer ‘B’ for the aforesaid question without assigning any reasons. The answering respondent has brought on record the minutes of the Oversight Committee on answer key as annexure no. CA-3, the relevant portion of the said document relating to aforesaid question is reproduced as under:-

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|----|----|-----------------------|---|
| 91 | 49 | Correct option is (B) | The oversight committee overruled the decision of the subject expert committee. Directed to continue with the provisional key option. |
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24. In the last page of the report, details of the members of the Expert Committee are disclosed and one of its member is Professor M.R. Nandan who was a Professor of Logic and Philosophy and other being Assistant Professor of Economics and Finance, who are experts in the

field whereas the members of the Oversight Committees are past high dignitaries. As while overruling the decision of the said Expert Committee no reasons have been recorded for arriving at the conclusion, therefore the same is contrary to settled law.

25. The Hon'ble Supreme Court *in Re: State of Rajasthan vs. Rajendra Prasad Jain*,¹⁰ has held that

"reason is the heartbeat of every conclusion, and without the same it becomes lifeless."

26. The Hon'ble Supreme Court *in Re: State of Orissa vs. Dhaniram Luhar*¹¹ has held as under:-

"Even in respect of administrative orders Lord Denning, M.R. in Breen v. Amalgamated Engg. Union observed: "The giving of reasons is one of the fundamentals of good administration." In Alexander Machinery (Dudley) Ltd. v. Crabtree it was observed: "Failure to give reasons amounts to denial of justice." "Reasons are live links between the mind of the decision-taker to the controversy in question and the decision or conclusion arrived at." Reasons substitute subjectivity by objectivity. The emphasis on recording reasons is that if the decision reveals the "inscrutable face of the sphinx", it can, by its silence, render it virtually impossible for the courts to perform their appellate function or exercise the power of judicial review in adjudging the validity of the decision. Right to reason is an indispensable part of a sound judicial system; reasons at least sufficient to indicate an application of mind to the matter before court. Another rationale is that the affected party can know why the decision has gone against him. One of the salutary requirements of the natural justice is spelling out reasons for the order made; in other words, a speaking-out. The "inscrutable face of the sphinx" is ordinarily incongruous with a judicial or quasi-judicial performance."

27. The Division Bench of this Court *in Re: Ahmad Ullah vs. Union of India and others*,¹² has held as under:-

"20. In view of the aforesaid cases of the Hon'ble Supreme Court as well as this Court, it is clear that the reason is the heartbeat of the order and without reason, the order becomes dead."

10. 2008 (15) SCC 711

11. (2004)5 SCC 568

12. 2019(10)ADJ 138 (DB)

28. Even the respondents in their counter affidavit failed to bring on record the reasons for overruling the decision of the experts by the Oversight Committee, all that has been set in paragraph 39 of the Counter affidavit, the same is quoted as below:-

“39. That the Oversight Committee comprising of these three experts reviewed all the objections raised by the candidates, and also all the recommendations of the Subject Expert Committees (where objections 11 had been sustained), and opined that the notified Provisional Answer Key was correct in all respects and did not merit any change thereby overruling the Subject Expert Committees in respect of their three recommendations...”

29. Although the respondent in their written submissions has tried to support the decision of the Oversight Committee by enclosing the reasons of the original paper setter, the same has not been filed on an affidavit and moreover once the Expert Committee has given its answer after going through the entire records then the view of the original paper setter are of no relevance.

30. In absence of any reason been given for overruling the decision of the Expert Committee by the Oversight Committee with respect to question no. 91 of booklet-A (correspond to question no. 9 of booklet-C), the same is hereby quashed and the answers of the Expert Committee are sustained.

31. The Hon’ble Supreme Court *in Re: Disha Panchal and others vs. Union of India through the Secretary and Others*,¹³ while considering the impact of incorrect assessment done by the CLAT consortium therein had directed to revise the score of the remaining candidates without disturbing the admission already done.

32. In such view of the matter, the respondent/Consortium of National Law Universities is directed to revise the merit list by awarding marks against question no. 9 of booklet-C (corresponding to question no. 91 of booklet-A) and to all other questions which correspond to the same in

¹³ AIR 2018 SC 2824

different booklets of CLAT-2026 entrance examination by treating both 'B' and 'D' as correct answers and thereafter are further directed to revise the merit list and republish/re-notify the same within a period of one month from today. Since it has been informed at the Bar that the first round of counselling has already been finalized thus the students/candidates who have already taken admission pursuant to the first round of counselling shall not be disturbed, however for further counselling, the respondent are directed to act on the revised/re-notified merit list and the issue (ii) is accordingly decided.

33. With the aforesaid directions, the writ petition stands *partly allowed*.

34. No order as to costs.

(Vivek Saran,J.)

February 03, 2026
Sushma