

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CIVIL APPLICATION NO. 8586 of 2018

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ANURAG MITHILESH JHA
Versus
ORGANIZING CHAIRMAN JOINT ENTRANCE EXAMINATION
(ADVANCED) 2018

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Appearance:

RAHUL SHARMA(8276) for the PETITIONER(s) No. 1,2,3
for the RESPONDENT(s) No. 1

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CORAM: HONOURABLE MR.JUSTICE BIREN VAISHNAV

Date : 06/06/2018

ORAL ORDER

1. Under challenge is the evaluation process of the JEE (Advanced) examination, 2018 which were held by the respondent on 20.05.2018. Learned counsel Mr. Rahul Sharma for the petitioners draws my attention to Page 20 of the paper-book which contains instructions as to how each question shall be answered. The instructions read as under:

Section 2 (Maximum Marks: 24)

This section contains **EIGHT (08)** questions. The answer to each question is a **NUMERICAL VALUE**.

For each question, enter the correct numerical value (in decimal notation, truncated/rounded-off to the **second decimal place** ; e.g. 6.25, 7.00, -0.33, -.30, 30.27, -127.30) using the mouse and the on-screen virtual numerical keypad in the place designated to enter the answer.

Answer to each question will be evaluated according to the following marking scheme:

Full Marks : +3 If **ONLY** the correct numerical value is entered as answer.

Zero marks : 0 In all other cases.

2. It is the case of the petitioners that after the students had attempted to answer the examination on-line on 20.05.2018, modified instructions were given on 21.05.2018 which were at Page 85 of the paper-book, which read as under:

Clarification regarding answers of Numerical-Answer-Type questions:

Full Numerical-Answer-Type questions, the numerical VALUE entered by the candidate will be evaluated. Whenever applicable, depending on the question, answers will be evaluated by checking whether the answer entered by the candidate falls within a range of two values, with or without including the upper and lower values of the range depending on the question.

Some examples:

- 1) If an answer is the integer 11 (Eleven), all answers entered as 11, 11.0 or 11.00 will be correct.
- 2) If an answer is exactly the number 11.5 (Eleven-point-five), all answers entered as 11.5 or 11.50 will be correct.
- 3) If an answer is the number 11.367777777..., all answers entered within a specified range, for example 11.36 to 11.37 (this range is shown for illustration purposes only) will be correct. Thus both answers 11.36 and 11.37 will be correct.

3. In short, it is the contention of the learned counsel for the petitioners that when each question was a numerical evaluation as per the extant instructions when the examinations were held, it was incumbent for a candidate / student to enter the correct numerical value (in decimal notation, truncated/rounded-off to the second decimal place). In other words, the answer had to be clear and specific. By subsequent instructions issued after the examinations,

on 21.05.2018 a modified instruction gives a leeway to a candidate to answer the question in a range of two values. This subsequent relaxed instruction, according to the learned counsel would result in injustice, inasmuch as, the result would certainly vary on the basis of the instructions given subsequent to the examinations.

4. **Notice** returnable on **12.06.2018**. Respondent to show cause on this issue on the returnable date i.e. 12.06.2018. A detailed affidavit answering the contentions raised in the petition be filed by that date. This is particularly in view of the fact that the results are scheduled to be declared on 10.06.2018 and the seat allocation to be declared on 19.06.2018.

5. **Direct service** of this order **today**. The petitioners are at liberty to communicate this order by Fax, e-mail and speed-post at their own cost.

6. It is clarified that since the declaration of the result has all India ramification, such declaration is not stayed, however, needless to say that such results shall be subject to further orders that may be passed on the next date.

(BIREN VAISHNAV, J.)

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