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

Date of Decision: 01.04.2026

+ **W.P.(C) 3859/2026 & CM APPL. 18971/2026**
AARUSH JAIN

.....Petitioner

Through: Ms. Tanya Agarwal Advocate and
Mr. Krishna Kumar Keshav Advocate

versus

NATIONAL TESTING AGENCY AND ANR.

.....Respondent

Through: Mr. Sanjay Khanna, SC for R1
Mr. Shashank Bajpai CGSC, Ms. Aashna Mehra,
Mr. Vatsal Tripathi, Mr. Govind Singh Chauhan,
Ms. Vaishnavstuti, Advs. for R2

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

: **JASMEET SINGH, J (ORAL)**

1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers:-

“a. For a writ, order or direction to Respondents to reopen the fee payment facility/window so as to enable the petitioner – Aarush Jain S/o Ravi Jain (Application No. 260310837798) to pay the requisite fee for JEE (Main) Session 2 to be conducted between 2nd April 2026 to 9th April 2026 in terms of public notice dated 1.2.2026 and to accept the fee so paid with the application form and to further immediately issue admit card to the petitioner so as to enable him to appear for the said JEE



(Main) Session 2.

b. For a writ, order or direction to the Respondents to accept payment of fee by Aarush Jain S/o Ravi Jain (Application No. 260310837798) through any other alternative mode such as demand draft, NEFT/RTGS etc. for JEE (Main) Session 2 to be conducted between 2nd April 2026 to 9th April 2026 in terms of public notice dated 1.2.2026 and to further immediately issue admit card to the petitioner so as to enable him to appear for the said JEE (Main) Session 2. . . .”

2. The brief facts of the instant case are that the petitioner is a JEE aspirant who passed his 12th board examination on 30.04.2025 and scored 95% marks with the science stream. The respondent No. 1/NTA issued a public notice dated 31.10.2025 inviting online application forms for JEE (Main) – 2026 Session-1. The petitioner submitted application form for the JEE (Main) – 2026 Session-1 and duly appeared for the examination on 23.01.2026.
3. On 01.02.2026, the respondent No. 1 issued a public notice inviting applications for JEE (Main) – 2026 Session-2 providing schedule for application, fee payment and examination dates.
4. In pursuance of this notification, the petitioner desirous of appearing for Session-2 immediately on 03.02.2026 filled the application form for the said examination and made a payment of Rs. 1015.34/- towards examination fee for JEE (Main) – 2026 Session-2 through net banking via his father’s bank account. The receipt generated thereof is important and is reproduced hereunder:-



Reference ID : 738288441

Transaction Type: Shopping Mall Payment

From Account: 10202010008250

Transaction Date(dd/MM/yyyy): 03/02/2026

Request Date(dd/MM/yyyy): 03/02/2026

To Account: BILLDESK PAYMENT SERVICES

Beneficiary Account Number: 0120005811501

Beneficiary Bank Name:

Beneficiary Branch:

IFSC Code:

Transaction Amount: INR 1,015.34

Remark: aarush fees jeemain 2

Transaction Status: Success

External Reference Number: CPNBO4W1AH35PR

5. On 17.03.2026, the petitioner logged into JEE (Main) portal to check the status of his admit card and the advance city intimation slip, wherein he was shocked to notice that his application form fee is pending and since it remained unpaid, his application was incomplete and the petitioner was ineligible to participate in the JEE (Main) – 2026



Session-2 examination.

6. Numerous communications were exchanged between the petitioner and the respondent No. 1 with regards to this issue but to no avail. Hence, the present petition has been filed.
7. Ms. Agarwal, learned counsel for the petitioner, states that the petitioner immediately after the release of the public advertisement for the aforesaid examination applied for participation by duly filling the application form and also made payment of the application form fees on 03.02.2026 from his father's bank account for which the transaction status was shown as "success".
8. It was only on 05.02.2026, that the aforesaid transaction for the application form fee was reversed and therein the father of the petitioner missed the said reversal of payment.
9. Mr. Khanna, learned counsel for the respondent No. 1, opposes the petition and at the outset states that the respondent No. 1 have highest sympathy for the petitioners but are unable to help the petitioners. He relies upon the JEE (MAIN) 2026 information bulletin and more particularly serial Nos. (iv) and (v) of the same, to contend that the terms of the brochure were clear with regards to the generation of confirmation page which can only be generated after successful payment of fees and an application form is only considered complete when the confirmation page of the online application is generated. The relevant Clauses of the information bulletin read as under:-

“(iv) The fee can be submitted only online through Net Banking, Credit Card, Debit Card, or UPI Services. Processing charges and GST as applicable are chargeable



from the candidate (in addition to the examination fee) by the concerned Bank/Payment Gateway Integrator.

(v) The Confirmation Page of the online Application Form for each session will be generated only after the successful payment of the fee by the Candidate. In case the Confirmation Page is not generated after payment of the fee, then the candidate may have to approach the concerned Bank/Payment Gateway (in the helpline numbers and email given in Appendix - 1) to ensure the successful payment or to obtain the refund of duplicate/multiple payments.”

10. Therefore, in the present case, the confirmation page was not generated and hence, there was no application form fee received by the respondent No. 1 in pursuance of the application form filled by the petitioner.
11. Additionally, Mr. Khanna, also draws my attention to paragraph No. 17 of the counter affidavit to state that allowing the present petition will create logistical difficulties and confusion in the conduct of the aforesaid examination. The paragraph No. 17 of the counter affidavit reads as under:-

“17. That the present examination is a Computer-Based Examination (CBT), wherein each candidate is allotted a separate computer system to appear for the exam. That it becomes logistically impossible to accommodate people/candidates at the Eleventh hour, as there are integrated operational and administrative arrangements involved in doing the same. In light of the foregoing



submissions, it is most respectfully prayed that this Hon'ble Court may be pleased to quash and set aside the writ petition filed by the Respondent:

a. That the mode of payment of the application fee is strictly online, wherein all data is centrally stored electronically. The candidate registers using valid identity proof, photograph and other related documents upon successful authentication as per procedure, the payment is captured and the fee is automatically credited to the designated bank account and all candidates' data is stored in the central data base. The process does not have any manual dependency or control.

b. It is submitted that upon successful receipt of payment from the JEE (Main) 2026 Session-2 aspirants, the bank has duly furnished the reconciliation details to Respondent No. 1. If the Respondent no. 1 accepts the payment from any candidate at this stage, the bank would be required to correlate the same with the financial records of the candidates' database.

c. That after due checking and verification of records, including the removal of duplicate candidates, the entire data pertaining to JEE (Main) 2026 Session-2 examination has been duly frozen and the examination city intimation has been communicated



to all the candidates. It is further submitted that on 29.03.2026, the Respondent No. 1 has also issued the Admit Cards to the candidates for the examination scheduled to be held on 02 and 04 April 2026.

d. That if the petitioner is allowed, the Respondent No. 1 cannot verify the photo authentication process and Aadhar verification of the Petitioner and will have to make an exception for the petitioner which needs to be deliberated.

e. That in the event any candidate is permitted to make payment at this stage, the Respondent would be compelled to undertake the entire exercise of verification of all candidates' records, including scrutiny for duplicate applications which is not possible. It is submitted that without reopening the portal, Respondent No. 1 is unable to verify the candidates' data. In this regard, it is further submitted that Respondent No. 1 has already issued the admit cards and city intimation details to all candidates.

f. That it is submitted that the Petitioner appeared in JEE (Main) 2026 Session 1 examination on 23.01.2026 at iON Digital Zone iDZ Kuberpur, Dev Technical Campus, Kuberpur, Agra, Uttar Pradesh, and secured 86.6671400 percentile. Thus, it is evident that the Petitioner has not suffered the loss of an



entire academic year. The Petitioner may appear for JEE (Main) in the subsequent examination. The final score will be given to the Petitioner as per his performance in Session -1.

g. That if this Hon'ble Court allows the Petitioner at this stage, the same would result in grave prejudice and would be unjust to numerous other candidates who were unable to submit the fee/application form within the stipulated time.

h. That if the Hon'ble Court permit to pay the application fee to the Petitioner, the same would set an undesirable precedent for all other candidates.”

12. Mr. Khanna, also submits that the petitioner had participated in Session– 1 of the JEE(Main), wherein a confirmation page was duly generated and hence, it cannot be said that the petitioner was unaware of the procedure. Additionally, the payment refund was initiated on the second day itself i.e. 04.02.2026 and hence, the petitioner ought to have been vigilant.
13. It is also stated by Mr. Khanna that the respondent No. 1 issued another public notice dated 12.03.2026 giving another opportunity to the candidates who could not complete their application forms in time by reopening the portal and giving period from 12.03.2026 (Afternoon) to 13.03.2026 (11:50 P.M) to make the requisite fee payment. The petitioner failed to make the payment during this scheduled timeline as well.
14. He further draws my attention to the judgment of the Hon’ble Division



Bench of this Court in *Sadhana Yadav v. Union of India, 2025 SCC OnLine Del 4279*. The relevant paragraphs of the same read as under:-

“16. However, while bearing in mind the factors addressed by the ld. Counsels for the parties, the Court cannot lose sight of the discipline that is required to be maintained in the conduct of such examinations. The conduct of examinations has a sanctity attached to it and it is common knowledge that owing to the conditions generally relating to any unforeseen circumstances including transportation, traffic etc. candidates may reach late. Therefore, the information bulletin dated 1st March, 2025, published by the NTA and the admit card issued to the candidates gave very specific instructions in clause 8.1 and 8.2 of the information bulletin read as under:

“8.1 Candidates are advised to report at the Examination Centre well in time i.e. 02 hours before the commencement of the examination.

8.2 Candidates should take their seats immediately after the opening of the Examination Hall. If the candidates do not report in time due to any reason i.e. traffic jam, train/bus delay, etc., they are likely to miss some of the important instructions to be announced in the Examination Rooms/Halls. The NTA shall not be responsible for any delay.”

17. The above stated Clauses, stipulate that candidates have to report in time i.e., two hours before the commencement of



examination which in this case would be 7 am. The NTA is conscious of the fact that students could be coming from far-off places and thus, a sufficient margin is provided by opening the gates at 7am itself i.e., two hours before the examination. Apart from the general stipulation, clause 8.2 also specifically cautions candidates that there could be traffic jams, train/bus delays etc., which may prevent them from reaching in time. Candidates are asked to take their seats when the Examination hall opens at 7am. When read with the instructions stipulated in the admit card it is clear that there is no conflict whatsoever. The opening time of the gate of the examination centre is 07:00 A.M. for an exam which is to be held at 09:00 A.M. The candidates are expected to enter the examination hall and take their seat before the examination commences. This would, however, not mean that the candidate can enter at his or her own volition and timing. The admit card is clear to the effect that the gate opening time i.e., reporting entry time at the centre is 07:00 A.M. and the gate closing time is 08:30 A.M. Between 07:00 A.M. and 08:30 A.M., whenever the candidate enters, the candidate shall be permitted to take his or her seat in the examination hall.

18. Thus, in the opinion of this Court, Clause 8.2 of the information bulletin does not appear to be in conflict with the instructions in the admit card and the argument to that effect would not be tenable.



19. *The Court at first blush may be persuaded to take a sympathetic view in these kinds of matters, as the career of a young girl who is on the verge of entering higher studies could be jeopardised. However, the same would not be sufficient by itself to give directions to the NTA, which has a great responsibility of smooth and peaceful conduct of examinations for more than 13.54 lacs students, while maintaining discipline and also ensuring that the same is uniformly enforced across the country.*

.....

21. *The CUET is an important entrance examination and the discipline in arriving at the examination hall in time, taking the seat in time and being at the centre before the gate closing time, are all part of the discipline and ethos of the examination ecosystem which ought not to be relaxed, inasmuch as, the same may lead to huge inequities between similarly placed students. One may actually feel that nothing would have happened had the student been given entry as she was only six minutes late. If the said decision to let her in was taken by the concerned Invigilator or Supervisor, on the spot, it would have been fine. However, the authorities cannot be blamed for enforcing the rule of gate closing timings strictly.*

22. *Coming to the argument made by the Appellant that there would be discrimination as there may not be uniform implementation of the instructions in the admit card as also*



the information bulletin, such discrimination cannot be considered as a valid ground to interfere, inasmuch as, all students who violate the gate closing time, would be acting contrary to the instructions. Article 14 of the Constitution cannot be applied to compare persons violating the rules of the examination.

23. When students act contrary to the instructions of any given examination, such students cannot argue, inter se, discrimination in the opinion of this Court. Therefore, the Id. Single Judge's view that a lenient view cannot be taken in such matters does not warrant any interference. In the conduct of such a large-scale examination, leniency would lead to chaos and, therefore, the discipline of the examination ought to be maintained.

. . . .

25. The CUET UG examination is an exam where more than 13.54 lacs students from across the country appear. If exceptions are made, and discipline is not followed in such an exam, the timely conduct of the exam, the timely announcement of results and timely admission to colleges and Universities is all likely to be jeopardised and there would be a cascading effect. In such matters, the interference by the Court should be the least.”

15. I have heard learned counsel for the parties and perused the documents available on record.
16. In the present case, the payment receipt shows that the payment was



made by the petitioner and the transaction status was reflected as “success”. Subsequently, an amount of Rs. 1015.34/- was also deducted from the bank account of the petitioner’s father on 03.02.2026. Hence, the non-payment is not on account of petitioner’s fault and the same cannot be attributed to the petitioner, at best it can only be termed as a technical irregularity.

17. The fact which is vehemently contended by the respondent No. 1 to oppose the present petition, that the confirmation page was not generated is also to my mind a procedural irregularity.
18. A perusal of the petition also shows that when a candidate applies for JEE (Main) – 2026 Session-1, an application number is generated. It is the same application number which is carried through to the second session and only on payment of fee for Session-2, the petitioner becomes eligible to appear in the Session-2 of the said examination. The application number remains same for both the sessions.
19. The petitioner though should have been cautious with respect to his application form and should have seen the generation of a confirmation page, but the fact that the petitioner had duly paid the application form fee, even though the same was not credited to the respondent’s account, cannot be said to be the fault of the petitioner.
20. The Hon’ble Supreme Court in its judgment titled ***Farzana Batool v. Union of India, (2024) 15 SCC 818***, has made the following categorical observations with respect to the right to pursue higher education:

“10. Given that the issue raised in this case concerns access to education, albeit at the professional level, we would like



to take this opportunity to underscore the importance of creating an enabling environment to make it possible for students such as the petitioners to pursue professional education. While the right to pursue higher (professional) education has not been spelt out as a fundamental right in Part III of the Constitution, it bears emphasis that access to professional education is not a governmental largesse. Instead, the State has an affirmative obligation to facilitate access to education, at all levels.”

(Emphasis supplied)

21. In this view of the matter, the Court under this extraordinary jurisdiction is required to ensure substantive justice, a mere procedural or technical irregularity cannot defeat the notion of substantive justice which leans in favour of the petitioner especially when the right to pursue higher/professional education of the petitioner is at stake. The petitioner in this situation when he is not at fault cannot be left in the lurch and cannot be penalized for no fault attributable to him.
22. The reliance placed by the respondent No. 1 on the judgment of ***Sadhana Yadav (supra)*** is also misconceived and not applicable to the factual matrix of the present case as in ***Sadhana Yadav (supra)***, the candidate reached the examination centre beyond the stipulated time and hence, there was a delay clearly attributable to the candidate, which is not the case in the present petition.
23. In the present case the petitioner duly applied on 03.02.2026 immediately after the date of issuance of the public notice inviting applications and the transaction receipt for the application form fee also



reflected the status of payment as “success”, the requisite amount was duly debited from the bank account of the petitioner’s father and hence, it cannot be said that the petitioner is at fault in assuming that his application was duly accepted by the respondent No. 1.

24. I am of the view, that logistical issues as highlighted by the learned counsel for the respondent No. 1, cannot take precedence or come in the way of giving an opportunity to a candidate in participating in an examination as important such as JEE, which is a dream for a lot of students in our Country. The same would not only result in penalization of the candidate when he is not at fault but also would result in defeating the right of the petitioner.
25. Accordingly, the petition is allowed.
26. The respondent shall take necessary steps to facilitate the petitioner to participate in the JEE (MAIN)-2026 Session-2 on any of the scheduled dates and centre convenient to the respondent No. 1 by giving a notice 24 hours prior in writing to the petitioner.
27. The procedural formalities shall also be completed by the petitioner immediately.
28. The counter-affidavit and rejoinder handed over in Court today are taken on record.
29. *Dasti* under the signatures of the Court Master.

JASMEET SINGH, J

APRIL 1, 2026 / (MS)

(corrected and released on 01.04.2026)