

(SHOW CAUSE NOTICE BEFORE ADMISSION)

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**FRIDAY, THE TWENTIETH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

:PRESENT:

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

WRIT PETITION NO: 5338 OF 2026

Between:

Aagam Samir Mehta, S/o. Samir Mehta.

Petitioner

AND

1. Union of India, Represented by Secretary Ministry of Education Shastri Bhavan, New Delhi - 110001
2. Consortium of National Law Universities, Represented by its Convener C/o. National Law School of India University Post Bag No.7201, Nagarbhavi, Bengaluru Karnataka- 5600072

Respondents

WHEREAS the Petitioner above named through his Advocate SRI RAJKUMAR GUMMI presented this Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased To:

(a) Issue an appropriate Writ, Order or Direction, more particularly a Writ of Mandamus, declaring the action of the Respondent-2 in issuing the impugned communication dated 12.02.2026, whereby the Petitioner's grievance was rejected, as illegal, arbitrary, unreasonable, and violative of Articles 14,19 and 21 of the Constitution of India and Consequently, be pleased to quash and set aside the said impugned communication dated 12.02.2026 and direct the Respondent-2 to rectify the Petitioner's score by revising the same from 93.50 marks to 93.75 marks, and to correspondingly revise and re-assign the Petitioner's All-India Rank in accordance with the corrected score;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of SRI RAJKUMAR GUMMI Advocate for the Petitioner, Ms. RAJYA LAXMI Standing Counsel for Central Government for the Respondent No.1 directed issue of notice to the Respondent No. 2 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

The Convener, Consortium of National Law Universities, C/o. National Law School of India University Post Bag No.7201, Nagarbhavi, Bengaluru Karnataka- 5600072

are directed to show cause on or before 06.03.2026 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to STAY the Third Phase of the counselling process or allotting seats CLAT 2026 -UG, pending disposal of WP No. 5338 of 2026, on the file of the High Court.

The Court made the following

ORDER:

Notice Before Admission.

Ms. Rajya Laxmi, learned Central Government Standing Counsel takes notice on behalf of respondent No.1.

Issue notice, including personal notice to respondent No.2.

The proof of service to be filed by the next date of hearing.

Learned counsel appearing for the petitioner would submit that the petitioner appeared for CLAT 2026 (Booklet Version B) and was awarded 93.50 marks with an All-India Rank of 709. As per the official marking scheme (1 mark for each correct answer and -0.25 for each incorrect answer), the petitioner conducted a self-verification using the carbon copy of the OMR sheet and the official answer key. The self-assessment revealed 97 correct answers, 13 incorrect answers, and 9 unanswered questions, resulting in a total of 93.75 marks. However, the officially declared result reflects 97 correct answers, 14 incorrect answers, and 8 unanswered questions, leading to a score of 93.50 marks — a discrepancy of 0.25 marks.

Upon comparison of the carbon copy and the scanned OMR sheet, it was discovered that Question No.81 contained a stray smudge-like mark against Option 'D', which was not made by the petitioner. Despite this, the respondent treated it as an attempted incorrect answer and imposed negative marking. The deduction of 0.25 marks on the basis of an alleged stray mark, without any proof that it was made by the petitioner, is arbitrary and materially affects rank, counselling, and seat allotment in a

highly competitive national-level examination. Hence, the petitioner seeks indulgence of this Court.

To support his case, learned counsel relied upon the judgments of the Hon'ble Supreme Court in the matter of:

1. *State of Orissa vs. Dhaniram Luhar*¹ The relevant portion reads 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."

2. *Disha Panchal and others vs. Union of India through the Secretary and others*², 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.

3. The Honb'le Division Bench of High Court of Judicature at Allahabad in the matter of *Avneesh Gupta (Minor) vs. Consortium of National Law Universities*³ The relevant portion reads as under:

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

¹ (2004) 5 SCC 568

² AIR 2018 SC 2824

³ 2026 SCC online All 220

no. 9 of booklet-C (corresponding to question no. 91 of booklet-A) and to all other questions which correspond to the same in

[2:00 pm, 20/2/2026] Suma: 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.

This matter requires detailed examination and the facts can be ascertained only upon hearing respondent No.2.

List on 06.03.2026.

In the meantime, respondent No.2 is directed to consider the request of the petitioner by affording one additional opportunity to her to seek a comparison between the OMR sheet relied upon by the respondent and the carbon copy of the OMR sheet supplied to the petitioner, so as to properly examine and appreciate the merits of the grievance raised.

//TRUE COPY//

SD/- K. BHAVANI SWAMY
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The Secretary, Ministry of Education Shastri Bhavan, Union of India, New Delhi – 110001.(BY SPAD)
2. The Convener, Consortium of National Law Universities, C/o. National Law School of India University Post Bag No.7201, Nagarbhavi, Bengaluru Karnataka- 5600072 (BY SPAD along with a copy of petition and affidavit)
3. One CC to SRI RAJKUMAR GUMMI Advocate [OPUC]
4. One spare copy

HIGH COURT

EVV, J

DATED: 20/02/2026

LIST ON 06.03.2026.

NOTICE BEFORE ADMISSION

WP.No.5338 of 2026



DIRECTION