

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 19110/2024
CNR: RJHC021068932024 | URN: CW / 40162U / 2024

Ankit Sharma S/o Shri Mahesh Kumar Sharma, Aged About 26
Years, R/o 44, Utthaan Kumbha Nagar, Adarsh Colony,
Chittorgarh, P.o. Chittorgarh, District Chittorgarh, Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through Secretary, Urban
Development And Housing Department, Government Of
Rajasthan, Jaipur (Raj.).
2. Secretary, Rajasthan Housing Board, Awas Bhawan
Rajasthan Housing Board, Jan Path, Jyothi Nagar,
Lalkothi, Jaipur, Rajasthan.
3. Director, Centre For Development Of Advanced Computing
(C-Dac), Pune University Campus, Ganesh Khind, Pune,
Maharashtra

-----Respondents

For Petitioner(s)	:	Mr. Parth Sharma
For Respondent(s)	:	Mr. Ajay Shukla with Mr. Shivam Sharma Ms. Swati Daga for Mr. Alok Garg

HON'BLE MR. JUSTICE SAMEER JAIN

Order

19/08/2026

1. Learned counsel for the petitioner has challenged the
recruitment advertisement dated 19.07.2023 issued for the post
of Data Entry Operator (Informatics Assistant). It is submitted
that initially the advertisement was flouted with a condition that
there should be 8000 depressions in one hour. It is submitted that
the recruitment process was categorized in three parts;

- (i) Computer Base Test (CBT),
- (ii) Document Verification and
- (iii) Typing Test.

2. It is further submitted that the petitioner was eligible in CBT Test, and document verification was done thereafter typing test was scheduled on 25.11.2024, however, on account of administrative reasons, the same was not conducted, but on 29.11.2024 the same was rescheduled, however, rules of the games were changed and the condition of 8000 depressions was replaced by 20 correct words per minute, which should have been rightly spelled out.

3. Learned counsel for the respondents have raised a preliminary objection on the basis of doctrine of acquiescence, estoppel, and submitted that the petitioner participated in the said examination, but failed on 11.12.2024, and after participation he has challenged the said condition; even the prayers of the petitioner are contradictory, as prayer no.1 is made for amendment of conditions, being contrary to pleading selection and maintaining the said amended rule. Thus, on the theory of acquiescence, the present writ petition should be dismissed.

4. Heard, considered and perused the material available on record.

5. Upon doing the needful this Court is of a stern opinion that in view of the ratio encapsulated in **Tajvir Singh Sodhi & Ors. v. State of Jammu and Kashmir & Ors. : AIR 2023 SC 2014**, wherein it is categorically held that the candidates who participated in the selection process without any demur or protest cannot, after being unsuccessful challenge the selection criteria;

that the present actions of the petitioner, and plea made is barred by the doctrine of acquiescence and the petitioner cannot be allowed to approbate and reprobate.

6. Accordingly, the present writ petition is dismissed. Pending applications, if any, shall stand disposed.

(SAMEER JAIN),J

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