The doctrine of estoppel is based on the maxim ‘allegans contraria non est audiendus’. A person contradicting the facts than given earlier should not be heard. In estoppel, the person is held bound by the representation made by him or arising out of his conduct, for earlier stated facts.

General rule of Estoppel:

When a person by his word (written or spoken) or his conduct makes a representation that certain state of things is true and the other person relying upon the truth of the representation, alters his position. The person making the representation will be estopped from denying that representation.

The following three conditions must be fulfilled to invoke the doctrine of estoppel-

i) The person must have made the representation to another which may be made by declaration, act or omission.

ii) The other person shall have acted upon the representation.

iii) Such action of the other person shall have been detrimental to his interest.

If above condition are proved, the person making representation and his representatives shall not be allowed to deny the truth of that thing.

Example-

‘A’ intentionally and falsely leads ‘B’ to believe that certain land belongs to ‘A’ and thereby induces ‘B’ to purchase and pay for it. The land afterward becomes the property of ‘A’ and ‘A’ seeks to set aside the sell on the ground that at the time of the sale he had no title. In this case ‘A’ will be estopped to deny his title of the time of the sale.

Special rules of estoppel (Sections 116 and 117):

i) A tenant of immovable property is not permitted to deny the title of his landlord. The tenant having accepted him as the landlord cannot afterward say that he was not entitled to grant the tenancy. The estoppel continues during the continuance of tenancy (Section 116).

ii) A licensee of immovable property is not permitted to say that his licensor had no right to the possession of the property at the time of such license was given (Section 116).
iii) An **acceptor** of the bill of exchange cannot deny the authority of the drawer to draw such bill of exchange (Section 117).

iv) A **bailee** cannot deny that his bailer, when bailment commenced, has authority to make such bailment (Section 117).

**Estoppel against Government:**

Promissory Estoppel.

i) A plea of promissory estoppel is not available against the exercise of the legislative functions of the state.

ii) The doctrine cannot be invoked for preventing the Government from discharging its functions under the law.

iii) When an officer of the Government acts outside the scope of his authority, the plea of promissory estoppel is not available against the Government. It means the Government cannot be held liable by ultravires (unauthorized) acts of its servants.

iv) When the officer of the Government acts within the scope of his authority under a scheme and makes a representation, the promissory estoppel can be claimed against the Government.

The Government and its agencies are estopped from going back upon its scheme of aid, subsidy, concession, allowances, rebates, etc. when someone acts on relying upon such scheme.