

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.839 of 2024

In
Civil Writ Jurisdiction Case No.7930 of 2023

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Soni Kumari W/o- Arun Kumar, Resident of Village- Parewa Ward no. 01
P.O.- Kapurpakari, Police Station- Shikarganj, Panchayat- Parewa, District-
East Champaran.

... .. Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Social Welfare Department, Government of Bihar, Patna.
3. The Director, ICDS Department, Government of Bihar, Patna.
4. The District Magistrate, East Champaran at Motihari.
5. The District Program Officer (ICDS), East Champaran at Motihari.
6. The Child Development Project Officer, Chiraiya, District- East Champaran.
7. The Lady Supervision-cum-Member Secretary, Ward No.- 01, Gram Panchayat Raj Parewa, District- East Champaran.
8. Ward Member, Ward No.-01, Resident of Village- Parewa, P.O.- Kapurpakari, Police Station- Shikarganj, District- East Champaran.
9. Rina Kumar W/o Sunil Sah, Resident of Village- Parewa, Ward No.- 01, P.O.- Kapurpakari, Police Station- Shikarganj, District- East Champaran.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Jitendra Kumar, Advocate
For the Respondent/s : Mr. Gyan Prakash Ojha, GA-7

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
and
HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

5 16-01-2026 The present Letters Patent Appeal has been preferred

against the order dated 28.11.2023 passed in CWJC No. 7930 of

2023, whereby the writ application was dismissed.

2. The writ application was filed for the following
reliefs before the learned Single Judge:-



i. For issuance of appropriate writ/s rules/rules, direction/s especial in the nature of certiorari to quashed/set aside the order dated 18.07.2022 passed by learned Collector-cum-District Magistrate, East Champaran at Motihari whereby and whereunder canceled the appeal filed by petitioner bearing Aaganwari bearing Case No- 91/2020 (Annexure-11) and continued dated 14.10.2019 passed in Aaganwari Case No- 42/2018 passed by D.P.O. East Champaran, Motihari, (Annexure-7) whereby and where under Cancelled the appointment of the petitioner (Annexure-6) on the post of Aaganwari Sevika on her concern center.

ii. For issue appropriate order/orders, direction/directions to the respondent concern to appointed to the petitioner on the post of Aaganwari Sevika on her concern center no-294, ward no 01, village- Parewa, panchayat- Parewa, Block- Chiraiya, District-East Champaran, who has more marks than the Rina Kumari (Resp. No.09), and got 1st Megha Rank.

iii. For issuance of rule/rules, direction/directions, order/orders, as your lordships may found fit and proper to the facts and circumstances of the case for which the petitioner may found legally entitle thereto.

3. When the matter was taken up for hearing before



the writ Court, the learned Single Judge after taking into account the submissions of the parties, made the following observation in the impugned order:-

2. At the outset, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to avail such other alternative remedies as are otherwise available under the law, including that of filing a suit before the learned civil court of competent jurisdiction. Liberty, so sought, is granted.

4. From a bare perusal of the order dated 28.11.2023 passed in CWJC No. 7930 of 2023, particularly Paragraph No. 2 thereof, it is evident that the said order was passed with the express consent of the parties, as recorded by the writ Court itself.

5. It is a settled position of law that no intra-court appeal lies against an order passed with the consent of the parties. Once a litigant was consciously agreed to the passing of an order, the same cannot thereafter be subjected to appellate scrutiny.

6. In view of the aforesaid, this Court finds no merit in the present appeal.

7. Accordingly, the present appeal stands dismissed.



8. Pending application(s), if any, shall stand disposed
of.

(Sudhir Singh, J)

(Ritesh Kumar, J)

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