



LPA-2692-2025

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

(130)

LPA-2692-2025(O&M)
Date of Decision:-31.10.2025

Deepak Kumar

.....Appellant

Versus

State of Punjab through its Secretary and Others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL**

Present: Mr. U.K. Agnihotri, Advocate, with
Mr. Anuj Y. Attri, Advocate,
for the appellant.

Mr. Aftab Singh Khara, D.A.G. Punjab

ANUPINDER SINGH GREWAL, J. (Oral)

1. The appellant has challenged the judgment passed by the learned Single Bench whereby the writ petition preferred by the appellant seeking promotion to the post of Platoon Commander, has been dismissed.
2. Learned counsel for the appellant submits that the appellant, who is working as Sergeant (Mechanic), is senior to respondent No.9 and, he ought to have been promoted before respondent No.9. He also submits that in the merit list, the appellant had secured higher marks than respondent No.9.



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3. Issue notice of motion.

4. Mr. Aftab Singh Khara, learned Deputy Advocate General, Punjab, accepts notice on behalf of the respondents.

5. Learned State counsel, on instructions from the department, submits that the appellant had secured 65 marks while respondent No.9, namely Inderjeet Singh, had secured 72 marks. The four posts in question were to be filled through promotion. Promotion was to be made on the basis of the merit list, wherein the appellant was placed at serial No.5 and respondent No.9 at serial No.4 and four persons, including respondent No.9, were higher in merit than the appellant. It is further submitted that the other courses which the appellant is relying upon pertain to a different quota and were to be filled from other sources, and therefore, the appellant cannot derive any benefit therefrom.

6. Heard.

7. We are in agreement with the judgment of the learned Single Bench that the appellant could not substantiate his claim that 61 posts were lying vacant and that the four persons who had been promoted were junior to the appellant. It is apparent that only four posts were available for promotion from cadre of Sergeant (Mechanic) which were filled by persons higher in merit than the appellant. The appellant is not entitled to be promoted ahead of those persons. Therefore, no infirmity can be found in the action of the official respondents.



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- 8. Consequently, the Letters Patent Appeal, being devoid of merit, stands dismissed.
- 9. All miscellaneous application(s) shall stand disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

(AMARINDER SINGH GREWAL)
JUDGE

October 31, 2025
Shubham

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No