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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 10104/2025**

DURGA DASS BALIHAR

.....Petitioner

Through: Mr. V. Elanchezhiyan and Mr.
Nasim Anwar, Advocates.

versus

**THE NEW INDIA ASSURANCE CO LTD AND
ANR.**

.....Respondents

Through: Mr. Sanjay Rawat and Mr. Varun
Rawat, Advocates for NIACL.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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17.07.2025

CM APPL. 42039/2025 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 10104/2025

1. The petitioner retired from the services of the respondent – New India Assurance Co. Ltd. [“NIACL”] on 31.01.2013. By an order dated 15.07.2019, in an earlier writ petition [W.P.(C) 7493/2019] filed by him, NIACL was directed to consider the petitioner’s representation for release of his retirement dues, including *inter alia* stagnation increment.
2. It appears that a controversy arose due to the fact that the petitioner was subjected to proceedings under the Prevention of Corruption Act, 1988, in respect of his period of service with NIACL. However, NIACL



passed an order dated 05.08.2019, by which it granted the petitioner's entitlements and retirement dues payable upon superannuation, including payment of arrears, but declined to grant stagnation increment. It is undisputed that the dues, except stagnation increment, have been released.

3. As far as stagnation increment is concerned, the order of NIACL reads as follows:

“As regards your assertions for grant of stagnation increment, the same can not be claimed or granted as a matter of right. Upon an objective consideration of the assertions made in your representation dated 02.05.2010 and/or the other material available on record, there is no basis for asserting any such ostensible claim for stagnation increment and the same is not tenable.”

4. At the request of Mr. V. Elanchezhiyan, learned counsel for the petitioner, one week's time is granted to place on record the Rules related to stagnation increment.

5. NIACL is represented on advance notice. Mr. Sanjay Rawat, learned counsel for NIACL, is also requested to produce the the relevant Rules on the next date of hearing.

6. List on 01.08.2025, in the category of “*Fresh Matters and Applications*”.

PRATEEK JALAN, J

JULY 17, 2025
SS/KA/