



IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) No.37155 of 2025

Susama Mishra and others

.....

Petitioner

Represented by Adv. -
Manoj Panigrahi

-versus-

State Of Odisha

.....

Opposite Parties

Represented by Adv. -

CORAM:

THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

05.02.2026

Order No.

- 03.
1. This matter is taken up through Hybrid mode.
 2. Heard the learned counsel for the Petitioners. Perused the writ petition as well as the documents annexed thereto.
 3. By filing the present writ petition, the Petitioners have made the following prayer:-

“It is, therefore, prayed that this Hon'ble Court may graciously be pleased to.—

(a) admit the Writ Petition;

(b) issue notice to Opposite Parties and call for relevant records;

(c) pass appropriate order(s)/writ(s)/direction(s) to direct the Opposite Party No.3 to sanction DCRG amount of Late Labani Mishra, Ex-primary teacher of Govt. School in favour of the Petitioners Successors) with interest of 18% thereof by taking into account the succession certificate issued under Annexure-8.”

4. Learned counsel for the Petitioners, at the outset, contended that after the death of the Government servant, the Petitioner No.1,



who is the wife of deceased's brother, and other legal heirs of the deceased employee approached the Opposite Parties for payment of retiral dues including the G.P.F. and DCRG. Learned counsel for the Petitioners further contended that a succession certificate was produced before the Opposite Parties as desired by them. However, only the G.P.F. dues were released in favour of the Petitioners. So far the DCRG dues are concerned, the pension papers have been returned on the ground that in the succession certificate, DCRG dues has not been mentioned.

5. Learned counsel for the State, on the other hand, contended that she has obtained instruction in the meantime. As per the instruction received, learned counsel for the State submitted that the DCRG dues were not released as such fact has not been mentioned in the succession certificate. Since the G.P.F. dues was mentioned in succession certificate, the same has been sanctioned and disbursed in favour of the Petitioners. In such view of the matter, learned counsel for the Petitioners contended that the Opposite Parties have not committed any illegality. As such, the writ petition being devoid of merit, is liable to be dismissed.

6. Having heard the learned counsels appearing for the respective parties and on a careful examination of the background facts of the present case, further taking note of the fact that since the succession certificate has already been issued in favour of the Petitioners as the legal heirs of the deceased Government employee, the same can very well be acted upon for considering disbursal of the DCRG dues. This Court further observes that the Petitioners are not required to obtain another succession certificate for disbursal of the DCRG dues.



7. While disposing of the present writ petition, this Court directs the Opposite Parties to sanction and disburse the DCRG dues in favour of the Petitioners by taking an undertaking as well as an indemnity bond with regard to any future claim by any of the prospective legal heirs that might have been left out. Accordingly, the claim of the Petitioners with regard to discharge of DCRG dues be processed within a period of two months from the date of communication of a certified copy of this order.

8. With the aforesaid observation and direction, the writ petition stands disposed of.

(Aditya Kumar Mohapatra)
Judge

Debasis/Suchitra