

**GOVERNMENT OF INDIA  
MINISTRY OF LAW & JUSTICE  
DEPARTMENT OF JUSTICE**

**RAJYA SABHA  
UNSTARRED QUESTION NO. 1061  
ANSWERED ON 15/12/2022**

**ESTABLISHMENT OF A BENCH OF PATNA HIGH COURT**

**1061. SHRI RAKESH SINHA:**

**Will the Minister of LAW AND JUSTICE be pleased to state :-**

- (a) whether Government is aware that Bihar is the second largest State by population and 12th largest State by area as it has 94163 Sq KM area and more than 11 crore population in 38 districts, however, the State has only Patna High Court without any bench in other parts of the State, if so, number of cases pending in the court;
- (b) average rate of conclusively dealing with cases by the High Court;
- (c) total strength of judges and number of vacancies;
- (d) if so, time frame to fill them; and
- (e) whether Government considers to establish a bench of Patna High Court?

**ANSWER**

**MINISTER OF LAW AND JUSTICE  
(SHRI KIREN RIJJU)**

**(a) & (b):** Yes, Sir. At present, there is no Bench of the Patna High Court in any other parts of Bihar State other than the Principal Seat at Patna. The number of cases pending in Patna High Court as on 30.11.2022 is 2,12,135.

The case load per Hon'ble Judge in Patna High Court is 6631 cases, while the Case Clearance Rate(CCR) which is 114.39% in the Patna High Court.

**(c) to (d):** The total sanctioned strength in Patna High Court is 53, working strength is 34 and vacancies are 19 as on 30.11.2022.

Filling up of vacancies in the High Courts is a continuous, integrated and collaborative process between the Executive and the Judiciary. It requires consultation and approval from various constitutional authorities both at state and central level. While every effort is made to fill up the existing vacancies

expeditiously, vacancies of Judges in High Courts do keep on arising on account of retirement, resignation or elevation of Judges and also due to increase in the strength of Judges.

**(e):** High Court Benches are established in accordance with the recommendations made by the Jaswant Singh Commission and judgment pronounced by the Apex Court in W.P.(C) No. 379 of 2000 and after due consideration of a complete proposal to be sent by the State Government which is required to provide necessary expenditure & infrastructural facilities and by the Chief Justice of the concerned High Court who is required to look after the day-to-day administration of the High Court. The complete proposal should also have the consent of the Governor of the concerned State.

Requests for establishment of High Court Benches in places other than the Principal Seat of High Courts have been received from various organizations from time to time including State Government of Bihar. At present, no complete proposal from the State Government of Bihar regarding setting up of a Bench of the Patna High Court is pending with the Government.

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