

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

**RAJYA SABHA
STARRED QUESTION NO.*10
ANSWERED ON 02/02/2023**

Criminal and Civil cases pending in various courts

10 Shri Rajmani Patel:

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

- (a) the total number of criminal and civil cases pending in various Courts for more than 50 years;
- (b) whether the Supreme Court has given any directive to Courts to dispose off these 50 year old cases within a time bound programme; and
- (c) if so, the details thereof and the number of cases disposed off after the directive of the Supreme Court?

**ANSWER
MINISTER OF LAW AND JUSTICE
(SHRI KIREN RIJU)**

(a)to (c): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PART (A) TO (C) OF RAJYA SABHA STARRED QUESTION NO. 10 FOR REPLY ON 02.02.2023 REGARDING ‘CRIMINAL AND CIVIL CASES PENDING IN VARIOUS COURTS ASKED BY SHRI RAJMANI PATEL ’.

(a): There are no pending cases for more than 50 years, civil or criminal, in Supreme Court of India as per the data retrieved from the Integrated Case Management Information System (ICMIS) as on 27.01.2023. In case of the High Courts and District and Subordinate Courts, as per the data available on the National Judicial Data Grid (NJDG), the total number of criminal and civil cases pending for more than 50 years as on 31.01.2023 are as under:

	Name of Court	Civil Cases	Criminal Cases	Total
1	High Court	1511	3	1514
2	District and Subordinate Courts	992	398	1390

The details of cases pending for more than 50 years in the various High Courts and the District and Subordinate Courts are at ***Annexure-I*** and ***Annexure –II*** respectively.

(b) & (c): The disposal of pending cases in courts lies within the domain of the Judiciary and the Central Government has no role in the matter. However, the Hon’ble Supreme Court of India through its regular directives/judgements/orders keeps exhorting the High Courts and the subordinate courts to expedite the disposal of various types of cases in a time bound manner. For instance, in the case of *Imtiyaz Ahmad vs. State of Uttar Pradesh and Others* [(2012) 2SCC 688], the Hon’ble Supreme Court noted that while it has no power of superintendence over the High Courts and that under the Constitution of India the High Courts are not subordinate to the Supreme Court, but as the last court and in exercise of its powers to do complete justice which includes within it, the power to improve the administration of justice in public interest, the Supreme Court issued certain

guidelines for sustaining common man's faith in the rule of law and the justice delivery system both being inextricably linked.

In the above case, the Supreme Court stressed that the High Courts should use their authority sparingly to order stay of investigation pursuant to lodging of FIR or trial in deserving criminal cases. Such power should be exercised with due caution and circumspection keeping in mind the responsibility to expeditiously dispose of the case. Once such power has been exercised, the High Courts should not lose sight of the case where they have exercised their extraordinary power of staying investigation and trial. Most importantly, the High Courts should ensure disposing of such proceedings as early as possible but preferably within six months from the date the stay order was issued.

In order to remedy the institutional problem of bail application not being heard and to dispose such applications with expedition, the Supreme Court in the matter of *AranabManoranjanGoswami vs. State of Madhya Pradesh and Ors.* [(2021) 2 SCC 427] urged that the Chief Justices of the High Courts, to use the National Judicial Data Grid (NJDG) as resource to monitor the pendency and disposal of cases. The Supreme Court further directed that each High Court in their administrative capacities should utilize the ICT tools which are placed at their disposal in ensuring that access to justice is democratized and remedy the problem of bail applications not being heard and disposed with expedition.

The record of cases disposed off by the High Courts subsequent to the directives of the Supreme Court is not being maintained by the Registry of the Supreme Court of India.

Annexure-I

Cases Pending for More than 50 years in Various High Courts.

	High Court	Civil	Criminal	Count
1	Calcutta High Court	1192	0	1192
2	High Court of Delhi	132	1	133
3	Madras High Court	128	1	129
4	Bombay High Court	43	0	43
5	Patna High Court	5	0	5
6	Gauhati High Court	3	0	3
7	High Court of Punjab and Haryana	3	0	3
8	High Court of Uttarakhand	2	1	3
9	High Court of Kerala	2	0	2
10	Orissa High Court	1	0	1
	Total	1511	3	1514

Source: National Judicial Data Grid(NJDG)

Annexure-II

Cases Pending in District and Sub-ordinate courts for more than 50 years (Registration date less than 31-12-1972).

Sr No.	State	Civil	Criminal	Both
1	Uttar Pradesh	569	3	572
2	Bihar	174	110	284
3	West Bengal	124	149	273
4	Maharashtra	58	129	187
5	Madhya Pradesh	29		29
6	Jharkhand	17	5	22
7	Rajasthan	10		10
8	Goa	5		5
9	Orissa	2		2
10	Gujarat	1	1	2
11	Karnataka	1		1
12	Tamil Nadu	1		1
13	Punjab		1	1
14	Delhi	1		1
	Total	992	398	1390

Source: National Judicial Data Grid(NJDG)