

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
STARRED QUESTION NO. 298#

ANSWERED ON 27/03/2025

VACANCIES OF JUDGES IN ALLAHABAD HIGH COURT AND OTHER HIGH COURTS

298# SHRI RAMJI LAL SUMAN:

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

- (a) the number of posts of Judges currently vacant in Allahabad High Court, Uttar Pradesh;
- (b) the details of vacancies of Judges in other High Courts of the country at present;
- (c) the number of Judges who retired in the last three years and the number of Judges appointed against them; and
- (d) whether it is a fact there is inordinate delay in disposal of cases due to vacant posts of Judges?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

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

STATEMENT REFERRED TO IN REPLY TO PARTS (A) TO (D) IN RESPECT OF RAJYA SABHA STARRED QUESTION NO. 298# FOR REPLY ON 27th MARCH, 2025 REGARDING VACANCIES OF JUDGES IN ALLAHABAD HIGH COURT AND OTHER HIGH COURTS.

(a) to (d): The details of vacant post of Judges in the Allahabad High Court and other High Courts are at **Annexure**. During 01.01.2022 - 24.03.2025, 206 High Court Judges retired and 340 Judges were appointed in various High Courts.

Appointment of Judges to High Courts is made under Article 217 and 224 of the Constitution of India and according to the procedure laid down in the Memorandum of Procedure (MoP) prepared in 1998 pursuant to the Supreme Court Judgment of October 6, 1993 (Second Judges case) read with their Advisory Opinion of October 28, 1998 (Third Judges case).

As per the MoP, the responsibility for initiation of proposals for appointment of Judges in the Supreme Court vests with the Chief Justice of India, while the responsibility for initiation of proposals for appointment of Judges in the High Courts vests with the Chief Justice of the concerned High Court. As per the MoP, the High Courts are required to make recommendations at least 06 months before the occurrence of a vacancy. However, this time limit is hardly adhered to by the High Courts. For appointments to the High Courts, the views of concerned State Government are obtained in accordance with the MoP. The recommendations also have to be considered in the light of such other reports as may be available to the Government in respect of the names under consideration. The recommendations of the High Court Collegium, the State Governments and the Government of India are then forwarded to the Supreme Court Collegium (SCC) for advice. Only those persons whose names have been recommended by the SCC are appointed as Judges of the High Courts. Appointment of Judges in the higher judiciary 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.

The vacancy of judges is not the sole reason for the increased pendency of cases in courts. Pendency of cases in courts is attributable to several factors which, inter-alia, include availability of physical infrastructure and supporting court staff, complexity of facts involved, nature of

evidence, co-operation of stake holders viz. bar, investigation agencies, witnesses and litigants and proper application of rules and procedures. Other factors that lead to delay in disposal of cases include lack of prescribed timeframe by respective courts for disposal of various kinds of cases, frequent adjournments and lack of adequate arrangement to monitor, track and bunch cases for hearing.

ANNEXURE**(As on 24.03.2025)**

Sl. No.	High Court	Sanctioned Strength	Working Strength	Vacancies
1.	Allahabad	160	79	81
2.	Andhra Pradesh	37	30	7
3.	Bombay	94	66	28
4.	Calcutta	72	46	26
5.	Chhattisgarh	22	16	6
6.	Delhi	60	39	21
7.	Gauhati	30	25	5
8.	Gujarat	52	32	20
9.	Himachal Pradesh	17	12	5
10.	J & K and Ladakh	25	15	10
11.	Jharkhand	25	15	10
12.	Karnataka	62	50	12
13.	Kerala	47	44	3
14.	Madhya Pradesh	53	34	19
15.	Madras	75	65	10
16.	Manipur	5	4	1
17.	Meghalaya	4	4	0
18.	Orissa	33	18	15
19.	Patna	53	37	16
20.	Punjab & Haryana	85	53	32
21.	Rajasthan	50	34	16
22.	Sikkim	3	3	0
23.	Telangana	42	30	12
24.	Tripura	5	5	0
25.	Uttarakhand	11	9	2