

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 3788

ANSWERED ON 03.04.2025

VACANCIES OF JUDGES IN VARIOUS HIGH COURTS OF THE COUNTRY

3788. SHRI DEEPAK PRAKASH:

Will the Minister of *Law and Justice* be pleased to state:

- (a) whether Government has conducted any assessment regarding the shortage and vacant positions of Judges in various High Courts of the country;
- (b) if so, the State-wise details thereof, particularly in the State of Jharkhand;
- (c) whether the recruitment process for said posts has been initiated during the last three years; and
- (d) if so, the details thereof?

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): As on 28.03.2025, against the sanctioned strength of 1122 Judges, 767 Judges are working and 355 posts of Judges are vacant in various High Courts. Against these vacancies, 150 proposals for appointment of High Court Judges are at various stages of processing between the Government and the Supreme Court Collegium. The recommendations against 205 vacancies are yet to be received from the High Court Collegiums. The details of the vacancy of Judges in various High Courts is at Annexure.

Appointment of Judges to High Courts is made under Articles 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 rarely observed.

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. Only those persons whose names have been recommended by the SCC are appointed as Judges of the High Courts.

ANNEXURE**(As on 28.03.2025)**

Sl. No.	Name of 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	45	27
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	3	2
17.	Meghalaya	4	4	0
18.	Orissa	33	19	14
19.	Patna	53	37	16
20.	Punjab & Haryana	85	53	32
21.	Rajasthan	50	38	12
22.	Sikkim	3	3	0
23.	Telangana	42	30	12
24.	Tripura	5	4	1
25.	Uttarakhand	11	9	2
Total		1122	767	355