

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

**RAJYA SABHA  
UNSTARRED QUESTION NO. 593  
ANSWERED ON 04/12/2025**

**VACANCIES OF JUDGES IN HIGH COURTS**

**593. SHRI HARIS BEERAN:**

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

- (a) the details of existing vacancies of judges in High Courts and the details of recommendations of Supreme Court collegium pending before Government and the reasons for their pendency;
- (b) whether Government has evaluated the impact of vacancies on pending cases in the country;
- (c) if so, the details thereof; and
- (d) the details of steps taken by Government to fill these vacancies in various courts?

**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 27.11.2025, against the sanctioned strength of 1122 Judges, 825 Judges are working and 297 posts of Judges are vacant in various High Courts. Against these vacancies, 97 proposals for appointment of High Court Judges are at various stages of processing between the Government and the Supreme Court Collegium. The recommendations against 200 vacancies are yet to be received from the High Court Collegiums.

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, in consultation with two senior-most puisne Judges of the 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. 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.

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. Since May 2014 till 01.12.2025, 1156 Judges have been appointed in various High Courts.

Pendency of cases in courts arise due to several factors which inter alia, include complexity of the facts involved, nature of evidence, co-operation of stake-holders viz. Bar, investigation agencies, witnesses and litigants besides the availability of physical infrastructure, supporting court staff and proper application of rules and procedures to monitor, track and bunch hearing of cases. Furthermore, pendency of cases and vacancy position of judges in High Courts are not necessarily directly related.

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