

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA
UNSTARRED QUESTION NO. 866

TO BE ANSWERED ON WEDNESDAY, THE 07.02.2018

Recruitment of Retired Judges

†866. SHRI SANJAY HARIBHAU JADHAV:

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

- (a) whether the Government is considering to recruit retired judges in high courts to deal with pendency of more than three crore cases across the country;
- (b) if so, the present status thereof;
- (c) whether this will be made possible by bringing in a special provision in the constitution;
- (d) if so, the details thereof; and
- (e) if not, the reasons therefor?

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE AFFAIRS
(SHRI P.P. CHAUDHARY)

(a) to (e): The appointment of retired Judges of High Courts to sit and act as a Judge of the High Court can be made under Article-224A of the Constitution. Retired Judges are not being appointed in view of the decision dated 14.04.1982 of the then Chief Justice of India that retired judges ought not to be appointed unless all the permanent vacancies have been filled up and still large number of cases are pending for disposal.
