

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

**LOK SABHA**

**UNSTARRED QUESTION NO.3967**

**TO BE ANSWERED ON FRIDAY, THE 24<sup>TH</sup> MARCH, 2023**

**DISPOSAL OF OLD CASES**

**3967. SHRIMATI SHARDABEN ANILBHAI PATEL:  
DR. T.R. PAARIVENDHAR:  
SHRI MITESH RAMESHBHAI PATEL (BAKABHAI):**

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

- (a) whether a number of criminal and civil cases are pending in various Courts for more than 30 to 50 years, if so, the number of cases pending for 30 to 40, 40 to 50 and more than 50 years separately;**
- (b) whether the Supreme Court has given any directive to Courts to dispose of these old cases in a time bound programme;**
- (c) if so, the details thereof and the number of cases disposed of after the said directive of the Supreme Court; and**
- (d) the steps being taken by the Government to dispose of such old cases?**

**ANSWER**

**MINISTER OF LAW AND JUSTICE**

**(SHRI KIREN RIJJU)**

**(a):** The Supreme Court of India has informed that, there are no cases pending for more than 50 years as per data retrieved from their Integrated Case Management Information System (ICMIS).

In case of the High Courts and District Courts, the detailed statement of criminal and civil cases pending for 30 to 40, 40 to 50 and more than 50 years is as under:-

Name of Court	30 to 40 years		40 to 50 years		More than 50 years	
	Civil	Criminal	Civil	Criminal	Civil	Criminal
<b>High Court</b>	45261	23026	14650	1907	1077	1
<b>District &amp; Subordinate Courts</b>	34214	84747	6917	8518	936	371

Source: National Judicial Data Grid (NJDG)

**(b):** As per information provided by Supreme Court, directions are given by the Supreme Court to other courts on a regular basis through its various judgements/orders for timely disposal. 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 these guidelines, 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 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 Supreme Court has also constituted the Arrears Committee to formulate steps and reduce pendency of cases in the High Courts and District courts.

**(c):** As informed by the Supreme Court of India, the information regarding the number of cases disposed off after the directive of Supreme Court for timely disposal is not maintained by the Registry.

**(d):** The disposal of pending cases in courts lies within the exclusive domain of the Judiciary and the Central Government has no direct role in the matter.

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