

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

LOK SABHA

**UNSTARRED QUESTION NO.2540
TO BE ANSWERED ON FRIDAY, THE 04TH AUGUST, 2023**

PENDENCY OF OLD CASES

**2540. SHRIMATI SHARDABEN ANILBHAI PATEL:
SHRI MITESH RAMESHBHAI PATEL (BAKABHAI):**

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

- (a) the total number of criminal and civil cases pending in various courts for more than 50 years in the country;**
- (b) whether the Supreme Court has given any directive to courts to dispose off these old cases within a time bound programme; and**
- (c) if so, the details thereof and the number of cases disposed off after the said directive?**

ANSWER

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

(SHRI ARJUN RAM MEGHWAL)

(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 High Court and Subordinate Courts, as per information available on National Judicial Data Grid(NJDG) as on 31st July, 2023, number of pending civil and criminal cases is as under: -

S.no.	Name of Court	No. of cases pending for more than 50 years		
		Civil Cases	Criminal Cases	Total
1	High Court	1062	1	1063
2	District and Subordinate Courts	787	347	1134

Source:- National Judicial Data Grid (NJDG)

(b) and (c): 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, the Supreme Court issued certain guidelines to the High Courts in respect of criminal cases. 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 *Aranab Manoranjan Goswami 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 to reduce pendency of cases in the High Courts and District courts.

As informed by the Supreme Court of India, the information regarding the number of cases disposed off after the directives of Supreme Court for timely disposal is not maintained by the Registry.
