

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

LOK SABHA

**UNSTARRED QUESTION NO.†135
TO BE ANSWERED ON FRIDAY, THE 2ND FEBRUARY, 2024**

DELAY IN HEARING OF CASES

†135. KUNWAR DANISH ALI:

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

- (a) whether it is true that hearing of cases is being delayed due to insufficient number of judges in the High Courts of the States;**
- (b) if so, the details thereof; and**
- (c) the measures taken/being taken by the Government in this regard?**

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) to (c): No Sir. The delay in hearing of cases cannot be attributed only to the inadequate number of judges in the High Courts. There are several other factors like lack of prescribed timeframe by respective courts for disposal of various kinds of cases, frequent adjournments, lack of adequate arrangements to monitor, track and bunch similar nature of cases for hearing etc. which can lead to delay in hearing of cases.

Further, factors like increase in number of state and central legislations, accumulation of first appeals, continuation of ordinary civil jurisdiction in some of the High Courts, appeals against the orders of quasi-judicial forums going to High Courts, number of revisions/appeals, indiscriminate use of the writ jurisdiction, assigning of work of administrative nature to the Judges, etc. also contribute to the delay in timely hearing of cases.

Appointment of the Judges to the Constitutional Courts such as High Courts is a continuous, integrated and collaborative process between the Executive and the Judiciary. The appointment of Judges of the High Courts is made under Articles 217 and 224 of the Constitution of India. It requires consultation and approval from various constitutional authorities both at State and Central level. The Government on its part, undertakes every effort to fill up the existing vacancies expeditiously in the High Courts but the vacancies of Judges do keep on arising on account of retirement, resignation or elevation of Judges and also due to increase in the strength of Judges.

As per information available with the Ministry of Law and Justice, on 25.01.2024, as against the sanctioned strength of 1114, there are 783 Judges working in various High Courts, leaving vacancy of 331 Judges. Out of the 331 vacancies, 145 proposals for appointment of Judges have been received from the High Courts, which are at various stages of processing. High Courts are yet to send proposals in respect of remaining 186 vacancies of Judges.

As a result of the collaborative process between the Executive and the Judiciary, during the year 2022 a record number of 165 Judges were appointed in various High Courts which is the highest ever in any given year and 110 Judges have been appointed in various High Courts in the year 2023. Further, the strength of Judges in High Courts, which was 906 in the year 2014 has been increased by 208 and stands at 1114 as on 25.01.2024.
