

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

LOK SABHA

**UNSTARRED QUESTION NO. 64
TO BE ANSWERED ON FRIDAY, THE 2ND FEBRUARY, 2024**

PENDING CASES BEFORE CONSTITUTION BENCHES

64. ADV. A.M. ARIFF:

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

- (a) whether several cases having serious consequences for the legal system of the country are pending before various Constitution Benches of the Supreme Court;**
(b) if so, the details thereof including the name of case, type of Constitution Bench and period of pendency;
(c) whether the reason for pendency of the above mentioned cases is the lack of interest shown by the Government in expediting the same, if so, the action taken thereon; and
(d) the decade-wise list of cases heard and disposed by the Constitutional Benches of the Supreme Court since its inception till date?

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) & (b): As per information available on National Judicial Data Grid (NJDG), the number of cases pending before the Constitution Benches of the Supreme Court, as on 29.01.2024, are as under:

Bench	No. of Pending Cases (as on 29.01.2024)
Five-Judge Bench	38
Seven-Judge Bench	9
Nine-Judge Bench	7
Eleven-Judge Bench	0
More than 11 Judges	0

Source: National Judicial Data Grid (NJDG)

The detailed Statement of pending Constitution bench-wise cases along with name of the case and date of filing is *Annexed*.

(c): No, Sir, it cannot be said that the reason for pendency of the Constitution Bench cases is the lack of interest in expediting the same. As per information obtained from the Supreme Court, in respect of the Constitution Bench cases, there are intricate issues of law involved and arguments are addressed for number of days ranging from weeks to months. The said issues require deep analysis and thorough examination of law. Therefore, it is not possible to set out strict parameters and timelines regarding adjudication of such cases. Further, the adjudication and expeditious disposal of cases is within the exclusive domain of the judiciary.

(d): As per information provided by the Hon'ble Supreme Court, the decade-wise list of cases heard and disposed of by the Constitutional Benches of the Supreme Court since its inception are as under:

S.no.	Period	No. of Constitution Bench matters disposed off
1	1950-1959	440
2	1960-1969	956
3	1970-1979	292
4	1980-1989	110
5	1990-1999	157
6	2000-2009	138
7	2010-2019	70
8	2020-2023	25
	TOTAL	2,188

Source: Supreme Court of India (data as on 11.12.2023)

STATEMENT REFERRED TO IN REPLY TO PARTS (A) AND (B) OF LOK SABHA UNSTARRED QUESTION NO. 64 FOR ANSWER ON 02.02.2024 REGARDING 'PENDING CASES BEFORE CONSTITUTION BENCHES'.

Diary no.	Case Number	Date of Filing	Party Name
<u>Five-Judge Bench</u>			
25700 / 2023	WRIT PETITION (CIVIL) / 678 / 2023	01-07-2023	GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF D Vs UNION OF INDIA
31429 / 2013	WRIT PETITION (CIVIL) / 921 / 2013	01-10-2013	SAMA-RESOURCE GROUP FOR WOMEN AND HEALTH Vs UNION OF INDIA
11168 / 2014	CURATIVE PETITION(CIVIL) / 106 / 2014	02-04-2014	DR. SHEKHAR SESHADRI Vs SURESH KUMAR KOUSHAL
3658 / 2022	CONTEMPT PETITION (CIVIL) / 91 / 2022	03-02-2022	PIYALI RAY CHOWDHURY Vs NARAYAN SWAROOP NIGAM
25917 / 2023	-	03-07-2023	ANJALI SHARMA Vs UNION OF INDIA
26252 / 2023	-	03-07-2023	THE ANIMAL WELFARE BOARD OF INDIA Vs UNION OF INDIA
46079 / 2023	REVIEW PETITION (CIVIL) / 1866 / 2023	03-11-2023	SUPRIYO @ SUPRIYA CHAKRABORTY Vs UNION OF INDIA MINISTRY OF LAW AND JUSTICE
27935 / 2017	WRIT PETITION (CIVIL) / 880 / 2017	04-09-2017	ASSOCIATION FOR DEMOCRATICS REFORMS Vs UNION OF INDIA
7808 / 2018	WRIT PETITION (CIVIL) / 202 / 2018	05-03-2018	ASHWINI KUMAR UPADHYAY Vs UNION OF INDIA
22311 / 2016	CRIMINAL APPEAL / 1003 / 2017	05-07-2016	PYARE LAL Vs STATE OF HARYANA
30032 / 2009	CIVIL APPEAL / 5965 / 2010	05-10-2009	FOOD CORPORATION OF INDIA Vs NAV DURGA RICE MILLS .
10730 / 2022	SUO MOTO WRIT PETITION(CRIMINAL) / 1 / 2022	06-04-2022	IN RE: FRAMING GUIDELINES REGARDING POTENTIAL Vs
17223 / 2015	WRIT PETITION (CIVIL) / 311 / 2015	06-05-2015	DEPAK KUMAR NATH Vs UNION OF INDIA MINISTRY OF HOME AFFAIRS REPRES

18396 / 2007	CIVIL APPEAL / 9935 / 2014	06-07-2007	RANCHI ASSOCIATION Vs UNION OF INDIA AND ORS .
3900 / 2008	SPECIAL LEAVE PETITION (CIVIL) / 3660 / 2008	08-02-2008	THE STATE OF PUNJAB Vs SAHIL MITTAL
28531 / 2019	CIVIL APPEAL / 9486 / 2019	09-08-2019	CENTRAL ORGANISATION FOR RAILWAY ELECTRIFICAT Vs M/S ECI SPIC SMO MCML (JV) A JOINT VENTURE CO
41794 / 2023	-	09-10-2023	SYDENA MUFADDAL SAIFUDDIN Vs CENTRAL BOARD OF DAWOODI BOHRA COMMUNITY
12551 / 2020	-	10-06-2020	SUVARNA PAKA JAGGA RAO Vs CHEBROLU LEELA PRASAD RAO
10865 / 2000	WRIT PETITION (CIVIL) / 546 / 2000	10-07-2000	IN RE ARTICLE 334 OF THE CONSTITUTION Vs ...
18450 / 2021	WRIT PETITION (CIVIL) / 887 / 2021	10-08-2021	GOVERNMENT OF NCT OF DELHI Vs UNION OF INDIA
38134 / 2009	CIVIL APPEAL / 1214 / 2011	11-12-2009	UNION OF INDIA Vs VINOD KUMAR
1543 / 2016	WRIT PETITION (CIVIL) / 36 / 2016	12-01-2016	V. VASANTHAKUMAR Vs H.C. BHATIA AND ORS. MINISTRY OF LAW AND JU
27156 / 2016	WRIT PETITION(CRIMINAL) / 113 / 2016	12-08-2016	KAUSHAL KISHOR Vs THE STATE OF UTTAR PRADESH GOVT. OF U.P. HOME
28033 / 2005	CIVIL APPEAL / 7513 / 2005	14-12-2005	STATE OF A.P. Vs B. ARCHANA REDDY .
29686 / 2017	CIVIL APPEAL / 841 / 2018	16-09-2017	M/S. BAJAJ ALLIANCE GENERAL INSURANCE CO.LTD. Vs RAMBHA DEVI
42134 / 2016	SPECIAL LEAVE PETITION (CIVIL) / 804 / 2017	17-12-2016	KARMANYA SINGH SAREEN Vs UNION OF INDIA
76079 / 1996	CIVIL APPEAL / 16879 / 1996	18-12-1996	STATE OF W B Vs PASCHIM BANGA B.K.SAMITY .
16155 / 2022	-	19-05-2022	CHEBROLU LEELA PRASAD RAO Vs SOMESH KUMAR
47928 / 2023	CRIMINAL APPEAL / 3589 / 2023	19-11-2023	HIGH COURT BAR ASSOCIATION ALLAHABAD Vs THE STATE OF UTTAR PRADESH
13164 /	CIVIL APPEAL / 2634 /	21-04-2011	TEJ PRAKASH PATHAK Vs

2011	2013		RAJASTHAN HIGH COURT
38037 / 2022	-	23-11-2022	JAYA THAKUR Vs UNION OF INDIA
16113 / 2009	WRIT PETITION (CIVIL) / 274 / 2009	25-05-2009	IN RE SECTION 6A OF THE CITIZENSHIP ACT 1955 Vs
23064 / 2018	CIVIL APPEAL / 9228 / 2022	26-06-2018	HARIHARAN Vs HARSH VARDHAN SINGH RAO
10061 / 2017	TRANSFER PETITION (CIVIL) / 582 / 2017	30-03-2017	KHUDALA GRAM SEVA SHAKARI SAMITI LTD Vs UNION OF INDIA
21589 / 2005	CRIMINAL APPEAL / 375 / 2006	30-09-2005	UNION OF INDIA . Vs PREETI AGGARWAL
40016 / 2015	SPECIAL LEAVE PETITION (CIVIL) / 33677 / 2015	30-11-2015	S.A. SAMPATH KUMAR Vs KALE YADIAH .
60441 / 1992	CIVIL APPEAL / 37 / 1992	31-12-1992	ABHIRAM SINGH Vs C.D. COMMACHEN (DEAD) BY LRS.
64366 / 2002	CIVIL APPEAL / 8028 / 2002	31-12-2002	NMAIN Vs NMAIN
<u>Seven-Judge Bench</u>			
10177 / 2014	CRIMINAL APPEAL / 451 / 2019	26-03-2014	SITA SOREN Vs UNION OF INDIA
14059 / 2021	WRIT PETITION (CIVIL) / 682 / 2021	24-06-2021	S.G. VOMBATKERE Vs UNION OF INDIA
15235 / 2015	SPECIAL LEAVE PETITION (CIVIL) / 14842 / 2015	07-05-2015	REGISTRAR GENERAL, HIGH COURT OF JUDICATURE A Vs TAMIL NADU PUBLIC SERVICE COMMISSION
20234 / 2022	WRIT PETITION (CIVIL) / 493 / 2022	08-07-2022	SUBHASH DESAI Vs PRINCIPAL SECRETARY, GOVERNOR OF MAHARASHTRA
23338 / 2003	WRIT PETITION(CRIMINAL) / 206 / 2003	09-11-2003	N. RAVI Vs SPEAKER,LEGISLATIVE ASSEMBLY,CHENNAI&ORS
25536 / 2010	CIVIL APPEAL / 2317 / 2011	13-08-2010	THE STATE OF PUNJAB Vs DAVINDER SINGH
71852 / 1994	CIVIL APPEAL / 8763 / 1994	11-02-1994	ARJUN FLOUR MILLS Vs THE STATE OF ODISHA FINANCE DEPARTMENT SECRET
9287 / 2006	CIVIL APPEAL / 2286 /	08-04-2006	ALIGARH MUSLIM

	2006		UNIVERSITY THROUGH ITS REGISTR Vs NARESH AGARWAL
9680 / 2017	CIVIL APPEAL / 8588 / 2019	28-03-2017	ROJER MATHEW Vs SOUTH INDIAN BANK LTD AND ORS CHIEF MANAGER
<u>Nine-Judge Bench</u>			
12996 / 2005	CIVIL APPEAL / 151 / 2007	05-07-2005	STATE OF U.P. . Vs M/S. LALTA PRASAD VAISH
16528 / 2001	WRIT PETITION (CIVIL) / 419 / 2001	24-09-2001	AHMED HABIB INDIAN INHABITANT Vs STATE OF MAHARASHTRA THROUGH THE SECRETARY IN
38452 / 2018	REVIEW PETITION (CIVIL) / 3358 / 2018	10-10-2018	KANTARU RAJEEVARU Vs INDIAN YOUNG LAWYERS ASSOCIATION THR.ITS GENE
52396 / 2023	//	14-12-2023	A.GNESHWAR VYAS Vs MEENABEN JETHI
78629 / 1992	CIVIL APPEAL / 1012 / 2002	31-12-1992	PROPERTY OWNERS ASSOCIATION Vs STATE OF MAHARASHTRA .
9012 / 1999	CIVIL APPEAL / 4056 / 1999	26-05-1999	MINERAL AREA DEVELOPMENT AUTHORITY ETC. Vs M/S STEEL AUTHORITY OF INDIA .
9099 / 2001	CIVIL APPEAL / 897 / 2002	24-05-2001	STATE OF U.P. Vs JAI BIR SINGH

Source: National Judicial Data Grid (NJDG)