GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA
UNSTARRED QUESTION NO. 2312
TO BE ANSWERED ON FRIDAY, THE 13th FEBRUARY, 2026

ADDITIONAL BENCHES OF PATNA HIGH COURT IN BIHAR

2312. SHRI MANOJ KUMAR:

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

(a) whether the Government is aware that Bihar, with an area of 94,163 sq. km. and a population of over 13 crore across 38 districts, is the country's second most populous State;
(b) if so, whether it is a fact that Bihar has only one Bench of the Patna High Court at Patna and that other States like Tamil Nadu, MP, UP and Assam have more Benches;
(c) if so, the number of pending cases and the average disposal rate of the High Courts;
(d) the sanctioned strength of judges and existing vacancies, State and High Court Bench wise details;
(e) whether the Government has set a timeframe to fill all vacancies, if so, the details thereof; and
(f) whether any proposal has been received or any plan exists to establish new Benches at Sasaram (Shahabad–Magadh), Darbhanga (Mithila–Koshi), and Purnea (Seemanchal-Ang Pradesh), and if so, the details and current status, if not, the reasons therefor?

ANSWER

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

(SHRI ARJUN RAM MEGHWAL)

(a) and (b): Yes Sir.

(c) to (f): The number of pending cases and the disposal rate of the High Courts as on 10.02.2026 is at **Annexure-I.** The sanctioned strength & vacancies across various High Courts is at **Annexure-II.**

Appointment of Judges to High Courts is made under Articles 217 and 224 of the Constitution of India and according to the procedure laid down in the Memorandum of Procedure (MoP) prepared in 1998 pursuant to the Supreme Court Judgment of October 6, 1993 (Second Judges case) read with their Advisory Opinion of October 28, 1998 (Third Judges case). As per the MoP, the responsibility for initiation of proposals for appointment of Judges in the Supreme Court vests with the Chief Justice of India, while the responsibility for initiation of proposals for appointment of Judges in the High Courts vests with the Chief Justice of the concerned High Court, in consultation with two senior-most puisne Judges of the High Court. As per the MoP, the High Courts are required to make recommendations at least 06 months before the occurrence of a vacancy. However, this time limit is rarely observed. For appointments to the High Courts, the views of concerned State Government are obtained in accordance with the MoP. The recommendations also have to be considered in the light of such other reports as may be available to the Government in respect of the names under consideration. The recommendations of the High Court Collegium, the State Governments and the Government of India are then forwarded to the Supreme Court Collegium (SCC) for advice.

Filling up of the vacancy in the higher Judiciary is a continuous, integrated and collaborative process between the executive and the judiciary. It requires consultation and approval from various Constitutional Authorities both at State and Central level which are obtained in accordance with the MoP. The recommendations also have to be considered in the light of such other reports as may be available to the Government in respect of the names under consideration. The recommendations of the High Court Collegium, the State Governments and

the Government of India are then forwarded to the Supreme Court Collegium (SCC) for advice. Only those persons whose names have been recommended by the SCC are appointed as Judges of the High Courts.

Pendency of cases in courts arise due to several factors which inter alia, include complexity of the facts involved, nature of evidence, co-operation of stakeholders, viz., bar, investigation agencies, witness and litigants, the availability of physical infrastructure, supporting court staff, etc. besides the shortage of judges. The disposal of cases is within the exclusive domain of the judiciary. However, the Central Government is committed for speedy disposal of cases and reducing pendency as mandated under Article 21 of the Constitution and has taken several initiatives to provide an ecosystem for faster disposal of cases by the judiciary.

High Court Benches are established in accordance with the recommendations made by the Jaswant Singh Commission and judgment pronounced by the Apex Court in W.P. (C) No. 379 of 2000 and after due consideration of a complete proposal from the State Government which has to provide necessary expenditure and infrastructural facilities and the Chief Justice of the concerned High Court who is required to look after the day-to-day administration of the High Court. The proposal to be complete should also have the consent of the Governor of the concerned State.

At present there is no complete proposal pending with the Government of India to establish High Court Bench(es) in Bihar.

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ANNEXURE -I

Pending Cases & Disposal Rates of Various High Courts as on 10.02.2026

High Court	No. of Pending Cases	Cases Instituted since 2018	Cases Disposed since 2018	Disposal Rate (%)
Allahabad	1207325	2535189	2228638	87.91
Andhra Pradesh	249222	439550	355722	80.93
Bombay	665754	1331691	1136940	85.38
Calcutta	195918	491020	525331	106.99
Chhattisgarh	75990	340675	324536	95.26
Delhi	126114	395486	341293	86.30
Gauhati	64076	234078	207042	88.45
Gujarat	174537	625241	553320	88.50
Himachal Pradesh	104139	400796	330469	82.45
Jammu & Kashmir and Ladakh	43291	112470	135986	120.91
Jharkhand	73000	333927	349607	104.70
Karnataka	329810	744467	633042	85.03
Kerala	249495	727259	660138	90.77
Madhya Pradesh	481480	1131327	961057	84.95
Madras	549937	2502092	2484699	99.30
Manipur	5933	22375	21001	93.86
Meghalaya	1760	11391	10605	93.10
Orissa	162205	761193	764499	100.43
Patna	219597	944381	867846	91.90
Punjab & Haryana	413963	1141947	1083928	94.92
Rajasthan	670681	1587045	1652106	104.10
Sikkim	295	1449	1363	94.06
Telangana	235767	511580	464608	90.82
Tripura	1390	18904	20308	107.43
Uttarakhand	60497	157050	128582	81.87

Source: National Judicial Data Grid

ANNEXURE-II

Sanctioned strength, working strength, vacancies of Judges in High Courts (As on 09.02.2026)

B.	High Court	Sanctioned Strength	Working Strength	Vacancy
1	Allahabad	160	109	51
2	Andhra Pradesh	37	32	5
3	Bombay	94	80	14
4	Calcutta	72	43	29
5	Chhattisgarh	22	15	7
6	Delhi	60	44	16
7	Gauhati	30	25	5
8	Gujarat	52	35	17
9	Himachal Pradesh	17	12	5
10	J & K and Ladakh	25	14	11
11	Jharkhand	25	14	11
12	Karnataka	62	46	16
13	Kerala	47	40	7
14	Madhya Pradesh	53	42	11
15	Madras	75	53	22
16	Manipur	5	3	2
17	Meghalaya	4	4	0
18	Orissa	33	19	14
19	Patna	53	38	15
20	Punjab & Haryana	85	61	24
21	Rajasthan	50	39	11
22	Sikkim	3	3	0
23	Telangana	42	28	14
24	Tripura	5	4	1
25	Uttarakhand	11	10	1
	Total	**1122**	**813**	**309**