

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

LOK SABHA

UNSTARRED QUESTION NO. †2034

TO BE ANSWERED ON THURSDAY, THE 28TH JULY, 2016

Delay due to Adjournments

†2034. SHRI ANANTKUMAR HEGDE:

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

- (a) whether the Government is aware of the delay in disposal of cases due to frequent adjournments of hearing by the Courts in the country;**
- (b) if so, the reaction of the Government thereto;**
- (c) whether the Government has assessed the average delay in disposal of cases due to the aforesaid reasons;**
- (d) if so, the details thereof; and**
- (e) the remedial measures taken / being taken by the Government in this regard?**

ANSWER

**MINISTER OF STATE FOR LAW AND JUSTICE AND ELECTRONICS AND
INFORMATION TECHNOLOGY
(SHRI P.P. CHAUDHARY)**

(a) to (e): Time taken for disposal of a case depends on several factors such as category of case (civil or criminal), complexity of facts involved, nature of evidence, co-operation of stakeholders viz. bar, investigation agencies, witnesses and litigants besides the availability of physical infrastructure, supporting court staff and applicable rules of procedure. There are several factors which may lead to delay in disposal of cases. These, *inter-alia*, include vacancies of judges, frequent adjournments, number of revisions / appeals and lack of adequate arrangement to monitor, track and bunch cases for hearing. As such it is not practicable to assess the average delay in disposal of cases due to adjournments alone.

In order to expedite the trial of Court cases a number of legislative changes have been made in procedural laws, which include provisions for limiting adjournments of court proceedings in criminal and civil matters as contained in Section 309 of the Code of Criminal Procedure, 1973 and order XVII of the Code of Civil Procedure, 1908. The Government has adopted a co-ordinated approach to assist judiciary for phased liquidation of arrears and pendency in judicial systems, which, *inter-alia*, involves better infrastructure for courts

including computerisation, increase in strength of judicial officers / judges, policy and legislative measures in the areas prone to excessive litigation and emphasis on human resource development.
