

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

**LOK SABHA**

**UNSTARRED QUESTION NO. 4159**

**TO BE ANSWERED ON THURSDAY, THE 11<sup>TH</sup> AUGUST, 2016**

**Cases Pending Due to Stay Order**

**4159. SHRIMATI DARSHANA VIKRAM JARDOSH:**

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

- (a) the number of court cases pending for more than two years in the country due to stay orders from Supreme Court and High Courts;**
- (b) whether the Government proposes to bring in any law for fixing duration of stay order based on merits of the court cases;**
- (c) if so, the details thereof and if not, the other measures taken / being taken by the Government to minimise such pendency of court cases; and**
- (d) whether the Government has any data regarding average number of sittings taken for final judgement on a case in the Supreme Court, High Courts and Subordinate Courts and if so, the details thereof, court-wise?**

**ANSWER**

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

(a) to (d): Data on pendency of cases is compiled by the High Courts. Information about pendency of cases in Civil and Criminal matters in High Courts and District and Subordinate Courts under their jurisdiction is periodically obtained by the Government. The data of cases pending for more than two years on account of stay orders from higher courts, as also on average number of sittings taken for final judgement on a case in the Supreme Court, High Courts and Subordinate Courts is not being maintained separately.

Grant of stay orders in civil and criminal cases is part of judicial proceedings and Courts have been vested with inherent powers in this regard under the relevant provisions of the Code of Civil Procedure, 1908 and the Code of Criminal Procedure, 1973. At present, there is no proposal to bring in any law for fixing duration of stay order based on merits of the court cases.

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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.

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