

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

LOK SABHA

UNSTARRED QUESTION NO. 336

ANSWERED ON 03/02/2023

Delay in Hearing of Cases in High Courts

**†336. SHRI ARUN KUMAR SAGAR:
SHRI ASHOK KUMAR RAWAT:**

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

- (a) whether the Government is aware that there has been delay in trial/hearing of several cases due to insufficient strength of judges in many High courts of the country and if so, the details thereof;
- (b) the details of sanctioned strength and vacant posts of judges in High courts of the country alongwith the reasons for non-filling of those vacancies;
- (c) whether the Government is contemplating to increase the sanctioned strength of judges in the High Courts; and
- (d) if so, the details thereof?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) to (b) : The pendency of cases in courts is not only due to shortage of judges in High Courts but also due to various other factors like (i) increase in number of state and central legislations, (ii) accumulation of first appeals, (iii) continuation of ordinary civil jurisdiction in some of the High Courts, (iv) appeals against orders of quasi-judicial forums going to High Courts, (v) number of revisions/appeals, (vi) frequent adjournments, (vii) indiscriminate use of writ jurisdiction, (viii) lack of adequate arrangement to monitor, tracking and bunching of cases for

hearing, (ix) vacation period of Courts, (x) assigning work of administrative nature to the Judges, etc.

As on 01.02.2023, against the sanctioned strength of 1108 Judges in the High Courts, 775 Judges are in position, leaving 333 vacancies of Judges to be filled. At present, 142 proposals are at various stages of processing between the Government and the Supreme Court Collegium. Further recommendations from High Court Collegiums are yet to be received in respect of remaining 191 vacancies in High Courts. A statement showing High Court wise vacancy position as on 01.02.2023 is at **Annexure**.

While filling up of vacancies in the High Courts is a continuous, integrated and collaborative process requiring consultation and approval from various constitutional authorities, vacancies keep on arising on account of retirement, resignation or elevation of Judges. Government is committed to filling up of vacancy expeditiously in time-bound manner.

(c) to (d) : To increase the judge strength of a High Court, the concurrence of the Chief Justice of the concerned High Court as well as the State Government is required since the Chief Justice of that High Court is responsible for day to day administration of the court and the State Government has to provide for infrastructural facilities, salaries of Judges etc. The sanctioned strength of Judges of High Court has increased from 906 in (2014) to 1108 in (2022).

Annexure
(As on 01.02.2023)

Statement referred to in part (a) & (b) of the Lok Sabha Unstarred Question No. 336 regarding “Delay in Hearing of Cases in High Courts”, showing Court-wise details of sanctioned, working strength and vacancies in the High Courts.

| Sl. No. | High Court | Sanctioned strength | Working strength | Vacancies |
|----------------|-------------------|----------------------------|-------------------------|------------------|
| 1. | Allahabad | 160 | 96 | 64 |
| 2. | Andhra Pradesh | 37 | 32 | 5 |
| 3. | Bombay | 94 | 65 | 29 |
| 4. | Calcutta | 72 | 54 | 18 |
| 5. | Chhattisgarh | 22 | 14 | 8 |
| 6. | Delhi | 60 | 45 | 15 |
| 7. | Gauhati | 24 | 23 | 1 |
| 8. | Gujarat | 52 | 26 | 26 |
| 9. | Himachal Pradesh | 17 | 9 | 8 |
| 10. | J&K & Ladakh | 17 | 14 | 3 |
| 11. | Jharkhand | 25 | 20 | 5 |
| 12. | Karnataka | 62 | 51 | 11 |
| 13. | Kerala | 47 | 37 | 10 |
| 14. | Madhya Pradesh | 53 | 31 | 22 |
| 15. | Madras | 75 | 52 | 23 |
| 16. | Manipur | 5 | 3 | 2 |
| 17. | Meghalaya | 4 | 3 | 1 |
| 18. | Orissa | 33 | 22 | 11 |
| 19. | Patna | 53 | 34 | 19 |
| 20. | Punjab & Haryana | 85 | 66 | 19 |
| 21. | Rajasthan | 50 | 35 | 15 |
| 22. | Sikkim | 3 | 3 | 0 |
| 23. | Telangana | 42 | 32 | 10 |
| 24. | Tripura | 5 | 2 | 3 |
| 25. | Uttarakhand | 11 | 6 | 5 |
| Total | | 1108 | 775 | 333 |