

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:144

ANSWERED ON:02.07.2009

PENDING CASES IN VARIOUS COURTS

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

- (a) the total number of cases pending in Supreme Court and High Courts as on date;
- (b) the reasons for this pendency; and
- (c) the steps being taken by the Government to speed up disposal of the long pending cases?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF LAW AND JUSTICE (Dr. M. VEERAPPA MOILY)

(a): 50163 cases were pending in the Supreme Court as on 31.3.09. As per the reports received from the High Courts, 39,14,669 cases were pending in the High Courts as on 31.12.08.

(b): While there are many reasons for pendency in the courts, some that are relevant in the case of pendency in the superior courts are: -

- (i) Population and Litigation Explosion.
- (ii) Institution of fresh cases.
- (iii) Lack of priority of disposal of old cases.
- (iv) Additional burden on account of Election Petitions.
- (v) Accumulation of First appeals.
- (vi) Continuance of the ordinary original civil jurisdiction in some of the High Courts.
- (vii) Inadequacy of Judges strength.
- (viii) Delays in filling up of vacancies in the High Courts.
- (ix) Inadequacy of staff attached to the High Courts.
- (x) Granting of unnecessary adjournments

(c): The time taken in disposal of cases is within the domain of judiciary. However, the Government has taken various measures to facilitate speedier disposal of cases in courts.

(1) Government reviews the Judges strength in High Courts periodically and ensures prompt filling up of vacancies so that administration of Justice does not suffer from inadequate number of Judges. On the basis of these reviews, 163 posts of Judges have been created in various High Courts. This increase in the number of Judges is expected to help in reducing the arrears in the High Courts. The strength of Judges in the Supreme Court has been increased from 26 to 31.

(2) Government introduced a scheme of 'Fast Track Courts' which has been extended upto 31.3.2010. As per the information received, 25.07 lakh cases have been disposed of by these courts out of 31.01 lakh cases transferred to them.

(3) Alternative modes of disposal including mediation, negotiation and arbitration have been encouraged. Some legislative measures have also been introduced for improvement in judicial procedure and for expediting disposal of civil and criminal cases in courts. The Civil Procedure Code has been amended, inter alia, limiting the number of adjournments that can be given to a party. Appropriate changes have been made in the Code of Criminal Procedure through Code of Criminal Procedure (Amendment) Act, 2005 which inter-alia introduced the concept of 'Plea-Bargaining'.

(4) Other measures like grouping of cases involving common questions of law, constitution of specialized benches, setting up of

special courts and organizing Lok Adalats at regular intervals have also been taken.

(5) Steps have also been taken for modernization of the judicial infrastructure through computerization of courts. Government is implementing a scheme for computerization of District & Subordinate Courts and for upgradation of the Information and Communication Technology infrastructure of the Supreme Court and the High Courts.

(6) Government has enacted the Gram Nyayalayas Act, 2008 (Act 4 of 2009) which provides for establishment of nearly 5067 Gram Nyayalayas.