

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE
RAJYA SABHA
UNSTARRED QUESTION NO. 439
ANSWERED ON 28/11/2024

PENDING CASES IN COURTS

439. SHRI RAGHAV CHADHA:

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

- (a) whether large number of cases are still pending despite several steps like setting up fast track courts;
- (b) if so, the number of pending cases at district courts, High Courts and Supreme Court as on date;
- (c) whether Government proposes to set up more courts and appoint more judges in the existing courts to dispose the pending cases at the earliest; and
- (d) the other steps taken/proposed to be taken by Government to dispose the pending cases in time bound manner?

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) & (b): As per information available on National Judicial Data Grid (NJDG), the number of pending cases in courts across the country, as on 25.11.2024, is as under:

| S. No. | Name of court | No. of pending cases |
|--------|---------------------------------|----------------------|
| 1. | Supreme Court of India | 82,511 |
| 2. | High Courts | 61,11,028 |
| 3. | District and Subordinate Courts | 4,54,79,245 |

(c) & (d): In case of Supreme Court of India, Article 130 of the Constitution of India provides that the Supreme Court shall sit in Delhi or in such other place or places as the Chief Justice of India may, with the approval of the President, from time to time, appoint. The Eleventh Law Commission in its 125th Report titled “The Supreme Court – A Fresh Look”, submitted in 1988, reiterated the

recommendations made by Tenth Law Commission in its 95th Report for splitting the Supreme Court into two namely (i) Constitutional Court at Delhi and (ii) Court of Appeal or Federal Court sitting in North, South, East, West and Central India. The Eighteenth Law Commission in its 229th Report had also suggested that a Constitutional Bench be set up at Delhi and four Cassation Benches be set up in the Northern region at Delhi, Southern region at Chennai/Hyderabad, Eastern region at Kolkata and Western region at Mumbai. The matter was referred to the Chief Justice of India, who informed that after consideration of the matter, the Full Court in its meeting held on 18th February, 2010, found no justification for setting up of Benches of the Supreme Court outside Delhi. In Writ Petition WP(C) No. 36/2016 on establishment of National Court of Appeal, the Supreme Court vide its judgment dated 13.07.2016 deemed it proper to refer the aforementioned issue to the Constitutional Bench for authoritative pronouncement. **The matter is sub-judice in the Supreme Court.**

The Supreme Court (Number of Judges) Act, 1956 was amended to increase the sanctioned strength of Supreme Court of India from 30 to 33 (excluding CJI). The Supreme Court (Number of Judges) Amendment Act, 2019 came into force w.e.f. 09.08.2019.

In case of 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 today administration of the High Court. To be complete, the proposal should also have the consent of the Governor of the concerned State. At present, there is no complete proposal pending with the Government for setting up of Bench(es) in any High Court.

During the period from 01.05.2014 to 21.11.2024 with the approval of the respective State Governments, concerned High Courts and the Chief Justice of India, the Government has increased the Judge strength of the High Courts from 906 to 1122 i.e. by 216 posts.

In case of District and Subordinate courts, the setting up of more courts is within the domain of the concerned High Court and respective State Government.

As far as appointment of more judicial officers in District and Subordinate Courts is concerned, under Article 235 of the Constitution of India, the administrative control over the members of district and subordinate judiciary in the States vests with the concerned High Court. In exercise of powers conferred under proviso to Article 309 read with Articles 233 and 234 of the Constitution, the respective State Governments, in consultation with the High Court, frame the Rules and Regulations regarding the issue of appointment, promotion, reservations and retirement of Judicial Officers in the State Judicial Service. The sanctioned strength of judicial officers has increased from 19,518 in the year 2014 to 25,725 as on 22.11.2024. The state-wise sanctioned strength and working strength in respect of judges of the District and Subordinate Courts during past 5 years is at ***Annexure-I***.

(e): The disposal of pending cases in time bound manner is within the exclusive domain of the judiciary. However, the Government is committed towards facilitating an ecosystem for expeditious disposal of cases by judiciary and reducing pendency as mandated under Article 21 of the Constitution. To this end, the Government set up the National Mission for Justice Delivery and Legal Reforms in 2011, with the twin objectives of increasing access by reducing delays and arrears in the system and enhancing accountability through structural changes and by setting performance standards and capacities. The Mission has been pursuing a co-ordinated approach for phased liquidation of arrears and pendency in judicial administration, which, inter-alia, involves improved infrastructure for courts including computerization, increase in strength of subordinate judiciary, policy and legislative measures in the areas prone to excessive litigation, re-engineering of court procedure for quick disposal of cases and emphasis on human resource development.

STATEMENT REFERRED TO IN REPLY TO PARTS (C) & (D) OF RAJYA SABHA UNSTARRED QUESTION NO. 439 FOR ANSWER ON 28.11.2024 REGARDING 'PENDING CASES IN COURTS'.

| Sl.No | Name of the State/Uts | | As on 31.12.2020 | | As on 31.12.2021 | | As on 31.12.2022 | | As on 31.12.2023 | | As on 22.11.2024 | |
|-------|------------------------------|--------------|---------------------|------------------|---------------------|------------------|---------------------|------------------|---------------------|------------------|---------------------|------------------|
| | | | Sanctioned Strength | Working Strength | Sanctioned Strength | Working Strength | Sanctioned Strength | Working Strength | Sanctioned Strength | Working Strength | Sanctioned Strength | Working Strength |
| 1 | Andhra Pradesh | | 607 | 510 | 607 | 491 | 607 | 534 | 618 | 535 | 618 | 544 |
| 2 | Telangana | | 474 | 378 | 474 | 425 | 560 | 410 | 560 | 445 | 560 | 445 |
| 3 | Auranchal Pradesh | | 41 | 32 | 41 | 32 | 41 | 33 | 44 | 34 | 44 | 33 |
| 4 | Assam | | 466 | 412 | 467 | 436 | 485 | 425 | 485 | 439 | 485 | 461 |
| 5 | Bihar | | 1936 | 1433 | 1954 | 1394 | 2016 | 1349 | 2016 | 1550 | 2019 | 1536 |
| 6 | Chandigarh | | 30 | 26 | 30 | 30 | 30 | 30 | 30 | 29 | 30 | 30 |
| 7 | Chattisgarh | | 480 | 387 | 482 | 409 | 527 | 437 | 562 | 423 | 663 | 465 |
| 8 | D & N Haveli and Daman & Diu | D & N Haveli | 3 | 2 | 3 | 2 | 3 | 2 | 3 | 2 | 3 | 2 |
| | | Daman & Diu | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 4 | 4 |
| 9 | Delhi | | 799 | 648 | 884 | 692 | 884 | 681 | 887 | 798 | 897 | 803 |
| 10 | Goa | | 50 | 40 | 50 | 40 | 50 | 40 | 50 | 40 | 50 | 40 |
| 11 | Gujarat | | 1521 | 1152 | 1523 | 1123 | 1582 | 1151 | 1720 | 1175 | 1720 | 1185 |
| 12 | Haryana | | 772 | 493 | 772 | 482 | 772 | 464 | 772 | 564 | 773 | 555 |
| 13 | Himachal Pradesh | | 175 | 161 | 175 | 160 | 179 | 163 | 179 | 158 | 179 | 160 |
| 14 | Jammu and Kashmir | | 296 | 255 | 300 | 241 | 314 | 223 | 317 | 223 | 322 | 277 |
| 15 | Ladakh | | 16 | 8 | 17 | 9 | 17 | 9 | 17 | 10 | 17 | 11 |
| 16 | Jharkhand | | 675 | 544 | 675 | 523 | 694 | 508 | 693 | 512 | 705 | 506 |
| 17 | Karnataka | | 1357 | 1071 | 1363 | 1087 | 1365 | 1132 | 1375 | 1150 | 1375 | 1157 |
| 18 | Kerela | | 538 | 470 | 569 | 488 | 595 | 473 | 605 | 514 | 610 | 534 |

| | | | | | | | | | | | |
|--------------|----------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| 19 | Lakshadweep | 3 | 3 | 3 | 3 | 4 | 4 | 4 | 3 | 4 | 4 |
| 20 | Madhya Pradesh | 2021 | 1610 | 2021 | 1552 | 2021 | 1649 | 2028 | 1730 | 2028 | 1692 |
| 21 | Maharashtra | 2190 | 1940 | 2190 | 1940 | 2190 | 1940 | 2190 | 1940 | 2190 | 1940 |
| 22 | Manipur | 54 | 36 | 59 | 42 | 59 | 42 | 59 | 49 | 62 | 49 |
| 23 | Meghalaya | 97 | 49 | 97 | 49 | 99 | 51 | 99 | 57 | 99 | 56 |
| 24 | Mizoram | 64 | 43 | 65 | 42 | 74 | 41 | 74 | 41 | 74 | 45 |
| 25 | Nagaland | 33 | 26 | 34 | 24 | 34 | 24 | 34 | 24 | 34 | 24 |
| 26 | Odisha | 950 | 756 | 976 | 785 | 1001 | 767 | 1008 | 803 | 1041 | 842 |
| 27 | Puducherry | 26 | 11 | 26 | 11 | 28 | 11 | 29 | 10 | 36 | 26 |
| 28 | Punjab | 692 | 593 | 692 | 607 | 797 | 589 | 797 | 585 | 804 | 723 |
| 29 | Rajasthan | 1489 | 1292 | 1549 | 1274 | 1587 | 1256 | 1638 | 1342 | 1641 | 1314 |
| 30 | Sikkim | 25 | 20 | 28 | 20 | 30 | 21 | 35 | 23 | 35 | 23 |
| 31 | Tamil Nadu | 1298 | 1049 | 1316 | 1082 | 1340 | 1068 | 1371 | 1040 | 1369 | 1023 |
| 32 | Tripura | 120 | 97 | 122 | 97 | 128 | 108 | 128 | 108 | 133 | 109 |
| 33 | Uttar Pradesh | 3634 | 2581 | 3634 | 2542 | 3647 | 2474 | 3696 | 2449 | 3698 | 2717 |
| 34 | Uttarkhand | 297 | 255 | 299 | 271 | 299 | 269 | 298 | 271 | 298 | 270 |
| 35 | West Bengal | 1014 | 918 | 1014 | 918 | 1014 | 918 | 1014 | 918 | 1105 | 863 |
| 36 | A& N Island | 0 | 13 | 0 | 13 | 0 | 13 | 0 | 13 | 0 | 12 |
| Total | | 24247 | 19318 | 24515 | 19340 | 25077 | 19313 | 25439 | 20011 | 25725 | 20480 |