

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

UNSTARRED QUESTION NO:756
ANSWERED ON:21.02.2003
PENDING CASES IN SUPREME COURT AND HIGH COURTS
RAGHUVANSH PRASAD SINGH

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

- (a) the number of Civil and Criminal cases pending in the Supreme Court, high courts, district courts and lower courts separately;
- (b) the number of years since when these cases are pending;
- (c) the details of the name of the cases on which judgements have been reserved for pronouncements but pending for more than one month as on date, category-wise;
- (d) the number of posts of judges lying vacant in all the courts;
- (e) the action taken by the Government for speedy disposal of the pending cases; and
- (f) the measures taken by the Government for filling up the vacancies of the judges?

Answer

THE MINISTER OF LAW AND JUSTICE AND MINISTER OF COMMERCE AND INDUSTRY (SHRI ARUN JAITLEY) :

- (a) A statement-I indicating the pendency of cases in Supreme Court, High Courts and Subordinate Courts including the District Courts is enclosed.
- (b) As per information available, as on 5th April, 2002, there were 1633 civil cases and 788 criminal cases pending in the Supreme Court for more than five years. As regards High Courts, the age wise pendency of cases is as per statement-II.
- (c) This relates to substantive functioning of Judiciary. However, as per information available as on 13.3.2001 there were 52 cases which were pending in the Supreme Court for pronouncement of final Judgement out of which 17 cases were pending for more than six months. The month wise category of cases where judgements were reserved/pending in High Courts as on 31.12.99 is placed at statement-III.
- (d) As on date, there is only one vacancy in the Supreme Court out of the sanctioned strength of 26 Judges including the Chief Justice of India. As on February 18, 2003 against the approved strength of 647 Judges/Additional Judges, 512 Judges/Additional Judges were in position in the various High Courts leaving 135 vacancies of Judges/ Additional Judges to be filled up. As per information received from various State Governments/High Courts, there are 2041 vacant posts of Judges/Magistrates as on 5.2.2003.
- (e) Statement-IV is enclosed.
- (f) While every effort is made to fill up the existing vacancies expeditiously: vacancies do keep arising on account of retirement, resignation or elevation of Judges. Government has been periodically reminding the Chief Justices of High Courts, the Chief Justice of India and the Chief Ministers to initiate proposals for filling up all vacant posts of Judges in the High Courts. Minister of Law & Justice addressed the Chief Ministers of States and Chief Justices of High Courts demiofficially on 4.4.2001, 21.5.2001 and 5.2.2002 requesting them to fill up vacant posts of judges & magistrates and supporting staff in order to speed up disposal of cases. In the meantime, the Supreme Court, vide its judgement dated 21.3.2002, in 'All India Judges' Association and Others Vs. Union of India & Others has inter-alia, directed that the existing vacancies in the Subordinate Courts at all levels should be filled, if possible, latest by 31st March, 2003, in all the States. The Central Government have been periodically urging all the State Governments/Union Territories and the High Courts to accord utmost priority to filling up of vacant posts of Judges and Magistrates. The Minister of Law & Justice has written to the Chief Justices of all the High Courts and Chief Ministers of all States on 26.4.2002 and on 30.11.2002 for ensuring compliance of the aforesaid order of the Supreme Court dated the 21st March, 2002.