

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

RAJYA SABHA

**UNSTARRED QUESTION NO. 2203
TO BE ANSWERED ON THURSDAY, THE 16th DECEMBER, 2021**

HUGE PENDENCY OF CASES IN HIGH COURTS AND SUPREME COURT

2203. SHRI KANAKAMEDALA RAVINDRA KUMAR:

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

- (a) whether Government is aware of the fact that the pendency rate of cases in High Courts and Supreme Courts are alarming and huge;**
- (b) if so, the details thereof;**
- (c) whether Government has any proposal for setting up four regional appellate courts to reduce the pendency of cases in High Courts and also Supreme Court;**
- (d) if so, the details thereof; and**
- (e) if not, the reasons therefor?**

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a) & (b): The number of cases pending in Supreme Court of India and High Courts in the country is as under:-

Sl. No.	Name of Court	Pendency as on
1	Supreme Court of India	69,855 (06.12.2021)*
2	High Courts	56,41,212(10.12.2021)**

Source

*Website of Supreme Court of India.

**National Judicial Data Grid (NJDG).

(c) to (e): There have been demands, from time to time, to set up Benches of the Supreme Court in different parts of the country. As per Article 130 of the Constitution, "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 Supreme Court has consistently not agreed for setting up benches of the Supreme Court outside Delhi. The above recommendation of setting up of Benches was referred to the Chief Justice of India for consideration. The Chief Justice of India, in his letter dated 12th August, 2007, informed that after consideration of the matter, the full Court, in its meeting held on 7th August 2007, found no justification for deviating from its earlier resolution on the subject and unanimously resolved that the recommendation made by the Committee cannot be accepted. The 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, the Southern region at Chennai/Hyderabad, the Eastern region at Kolkata and the Western region at Mumbai. In this regard, the then Chief Justice of India informed that after consideration of the matter, the Full Court in its meeting held on 18th February 2010 found no justification for setting of Benches of the Supreme Court outside Delhi. There is a Writ Petition No. 36 of 2016 filed in the Supreme Court of India on the subject of establishment of National Court of Appeal and the matter is *sub-judice* in the Court.

As regards High Court Benches, the 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 & infrastructural facilities and the Chief Justice of the concerned High Court who is required to look after the day-to-day administration of the High Court. The proposal to be complete should also have the consent of the Governor of the concerned State. Requests for establishment of High Court Benches in places other than the Principal Seat of High Courts have been received from various organizations from time to time. However, at present there is no complete proposal pending with the Government.
