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Challenges to the Indian Judiciary in Disposing of Cases: Structural Constraints, Procedural Inefficiencies, and Reform Imperatives

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Abstract

The Indian judiciary is burdened with one of the largest case backlogs in the world, which directly undermines the constitutional promise of timely and effective justice. Recent data from the National Judicial Data Grid (NJDG) indicate that more than five crore cases are pending across the Supreme Court, High Courts, and subordinate courts, with nearly 87 percent clustered at the district and subordinate level. This article critically examines the principal challenges that impede timely disposal of cases, including inadequate judge strength, poor infrastructure, procedural complexity, frequent adjournments, and underutilisation of technology and alternative dispute resolution (ADR) mechanisms. Drawing on official statistics, Law Commission of India reports, empirical studies, and policy documents, the paper analyses how vacancy rates, rising case institution, and rigid procedural codes interact to produce systemic delay and rising arrears. The article also evaluates recent reform initiatives such as the e-Courts project, the NJDG, and case management directions issued by constitutional courts, assessing their potential and limitations in improving disposal rates. It concludes by proposing a multi-pronged reform strategy that combines augmentation of judicial manpower, infrastructure investment, process re-engineering, and a shift towards a data-driven, technology-enabled justice system.

Keywords: e-Courts, National Judicial Data Grid (NJDG) and alternative dispute resolution (ADR)

1. Introduction

The Indian judiciary occupies a central place in the constitutional architecture as the guardian of fundamental rights and institutional checks and balances, yet it faces a deepening crisis of delay and pendency that threatens these objectives (Aithala & others, 2021)[i]. The Supreme Court has read the right to speedy trial into Article 21 in landmark decisions such as *Hussainara Khatoon v. State of Bihar* (1979), *Abdul Rehman Antulay v. R.S. Nayak* (1992), and *P. Ramachandra Rao v. State of Karnataka* (2002), holding that no procedure that fails to ensure reasonably expeditious trials can be considered "fair, just and reasonable." Yet, as of February 2024, official data indicate that more than 5.1 crore cases are pending across Indian courts—about 4.49 crore in district and subordinate courts, 62 lakhs in High Courts, and over 80,000 in the Supreme Court—revealing a substantial gap between constitutional

ideals and institutional performance[ii]. Against this backdrop, the article examines the empirical profile of pendency, identifies structural, procedural, and behavioural constraints on case disposal, and evaluates recent technological and policy initiatives to address these constraints, drawing on NJDG statistics, Law Commission reports, empirical scholarship, and the India Justice Report series.

Empirical profile of pendency and disposal

Recent NJDG-based estimates suggest that there were roughly 5.15 crore pending cases nationwide in 2024[iii], projected to cross 5.25 crore in 2025, with around 4.5 crore of these in subordinate courts and about 62–63 lakh in High Courts[iv]. A parliamentary reply in February 2024 reported 4,48,61,459 pending cases in district and subordinate courts, 62,09,926 in High Courts, and 80,302 in the Supreme Court[v], confirming that subordinate courts bear the overwhelming burden of pendency. Empirical analysis using district-level NJDG data indicates that a significant share of matters has been pending for more than 10 years, and that pendency rates have a stronger association with economic indicators (such as district-level GDP per capita and asset indices) than with purely sociodemographic variables (Aithala & others, 2021)[vi]. The India Justice Report 2020 further shows that in many jurisdictions, the average time that cases remain pending is around two years, with a non-trivial proportion of cases older than five years, underscoring that delay is not merely episodic but systemic. These patterns reveal that in several years the number of cases instituted equals or exceeds the number disposed of, so that arrears continue to accumulate even when courts increase their disposal rates.

Structural and resource-related challenges

At the structural level, chronic shortages of judges and support staff, high vacancy rates, and inadequate infrastructure severely limit the judiciary's capacity to dispose of cases. The Law Commission of India's 245th Report stressed that sanctioned strength and working strength of judges are inadequate to handle existing arrears and new filings, recommending a scientific caseload-based methodology for determining required judicial manpower (Law Commission of India, 2014)[vii]. Data collated in the India Justice Report 2020 and 2025 show that many states operate with vacancy levels above 20–30 percent in the subordinate judiciary and face persistent delays in filling High Court positions, compounding the workload on sitting judges. Field-based assessments of district courts highlight deficiencies in physical infrastructure, such as insufficient courtrooms, cramped record rooms, and lack of basic facilities, which impede efficient hearings and record management (Mann, 2023)[viii]. These structural deficits, combined with limited investments in trained court staff and professional court managers, mean that individual judicial efforts are undercut by systemic capacity constraints.

Procedural and case-management bottlenecks

Procedural law and weak case management practices interact to generate significant bottlenecks in case disposal. The Supreme Court itself has repeatedly commented on the misuse of adjournments and the need for effective docket control, emphasising that courts must not permit procedure to be weaponised to defeat substantive justice (see *Abdul Rehman Antulay*, 1992; *P. Ramachandra Rao*, 2002). Empirical and policy studies, including those undertaken under the JALDI (Justice, Access and Lowering Delays in India) initiative of the Vidhi Centre for Legal Policy[ix], show that frequent adjournments, prolix pleadings, and poorly structured cause lists significantly prolong the life cycle of cases, especially in civil and commercial matters. In many courts, daily cause lists are far longer than can be effectively heard, leading to fragmented

and short hearings and repeated carryovers, while pre-trial conferences, differentiated case-management, and summary procedures remain underused tools. As a result, procedural safeguards intended to ensure fairness often become vehicles for delay, particularly when coupled with limited cost sanctions for frivolous applications or non-diligent conduct by parties and counsel.

Systemic and behavioural factors

Systemic and behavioural patterns within the legal profession and litigant community further exacerbate delays. A litigation culture that encourages elaborate pleadings, multiple interlocutory challenges, and routine appeals reflects professional incentives that are often misaligned with expeditious dispute resolution (Aithala & others, 2021). Many litigants, especially those from socio-economically weaker sections, lack adequate legal literacy and reliable representation, resulting in defective filings, non-appearance, and procedural defaults that prolong proceedings or lead to repeated cycles of filing and dismissal (India Justice Report, 2020)[x]. Although Article 39A envisages robust legal aid, institutional capacity remains uneven and under-resourced, limiting the ability of legal services authorities to channel disputes towards early settlement and appropriate forums. Courts are also often reluctant to impose realistic, compensatory costs or to strictly filter frivolous or speculative litigation, thereby allowing opportunistic suits and appeals to clog dockets (India Justice Report, 2025)[xi]. These behavioural tendencies, coupled with weak enforcement of professional accountability standards, create an ecosystem in which delay is normalised rather than treated as an exception warranting corrective action.

Technology, data, and reform initiatives

Technology-enabled reforms have begun to reshape the landscape of judicial administration but remain uneven in depth and reach. The e-Courts project and the National Judicial Data Grid (NJDG) now provide real-time data on pendency and disposal across courts, enabling granular monitoring of trends and identification of bottlenecks in particular states, districts, and case categories (National Informatics Centre, 2024). Supreme Court communications have described the NJDG as an “unparalleled” single source of court data, and analyses based on NJDG figures show, for instance, that at the end of 2023–24 there were over 4.7 crore pending cases in subordinate courts and more than 63 lakh in High Courts. Virtual hearings, e-filing, and digitisation of records, widely adopted during the COVID-19 pandemic, have demonstrated potential to reduce transaction costs and improve access, particularly for procedural hearings and short-cause matters; however, many district courts still face constraints in connectivity, hardware, and user training (Mann, 2023). Parallel efforts to promote alternative dispute resolution—through Lok Adalats, mediation centres, and institutional arbitration—have resolved significant numbers of cases episodically, but they are not yet fully integrated into systematic case-flow management with mandatory pre-litigation screening or structured referral protocols (Carnegie Endowment for International Peace, 2021)[xii].

Normative framework: speedy trial and access to justice

The jurisprudential foundation of the right to speedy trial in India is grounded in a series of Supreme Court decisions interpreting Article 21. In *Hussainara Khatoon v. State of Bihar* (1979), the Court exposed the plight of undertrial prisoners detained for periods exceeding the maximum punishment for their alleged offences and held that no procedure that does not ensure reasonably expeditious trial can be considered “reasonable, fair or just.” This position was elaborated in *Abdul Rehman Antulay v. R.S. Nayak* (1992), where the Court laid down guidelines for assessing delay and emphasised that speedy trial encompasses

investigation, inquiry, trial, appeal, revision, and retrial. Later, in *P. Ramachandra Rao v. State of Karnataka* (2002), the Court reaffirmed that while rigid statutory time limits might be problematic, inordinate and unjustified delays in criminal proceedings violate Article 21 and may warrant quashing of proceedings. These rulings underscore that access to justice includes not only the formal ability to approach courts but also a realistic expectation of timely, affordable, and effective remedies. From an economic and governance perspective, persistent judicial delay increases transaction costs, undermines contract enforcement, and weakens investor confidence, as noted in policy-oriented work on India's case backlog (Carnegie Endowment for International Peace, 2021)[xiii]. The cumulative effect is a potential erosion of public trust and a drift towards informal or extra-legal dispute resolution, challenging the legitimacy of the formal justice system.

Policy recommendations and conclusion

Addressing the challenges to case disposal requires coordinated reforms across multiple dimensions. On capacity, the Law Commission's recommendation for caseload-based assessment of judicial manpower should be operationalised through regular workload studies, leading to rational increases in sanctioned strength and time-bound filling of vacancies at all levels (Law Commission of India, 2014). Evidence from district-wise empirical studies suggests that setting up additional courts dedicated to long-pending cases and improving the economic and infrastructural environment of districts can significantly reduce the proportion of cases pending over 10 years (Aithala & others, 2021). Procedurally, courts could institutionalise stricter adjournment norms, realistic cause lists, mandatory pre-trial case-management conferences, and wider use of summary and small-claims procedures; High Courts and the Supreme Court can reinforce these through practice directions and monitoring. At the same time, legal aid systems and ADR mechanisms should be strengthened and linked more closely with court dockets, including mandatory pre-litigation mediation for designated categories of disputes and robust enforcement of mediated settlements (India Justice Report, 2025). Finally, data-driven governance—using NJDG analytics, performance indicators, and periodic impact evaluations—should guide allocation of resources, design of reforms, and public reporting, creating a feedback loop between empirical evidence and policy decisions (National Informatics Centre, 2024)[xiv]. If implemented with sustained political and judicial commitment, these measures can gradually narrow the gap between the constitutional promise of speedy justice and the lived experience of litigants in India.

Reference:

1. Aithala, V., & others. (2021). Justice delayed: A district-wise empirical study on Indian judicial pendency. National Law School of India University.
2. The Constitutional Foundation of Speedy Trial in India. (2025, April 20). The Law Institute.
3. Supreme Court Observer. (2024, May 22). 80,221 cases pending in the Supreme Court in January 2024.
4. Vision IAS. (2025, September 14). Supreme Court case backlog hits all-time high.
5. PRS Legislative Research. (2024, February 5). Pending cases in Indian courts: Lok Sabha unstarred question No. 1359.
6. Aithala, V., & others. (2021). Justice delayed: A district-wise empirical study on Indian judicial pendency. National Law School of India University.

7. Law Commission of India. (2014). Arrears and backlog: Creating additional judicial (wo)manpower (Report No. 245). Government of India.
8. Mann, J. S. (2023). Scheme of action research and studies on judicial infrastructure in district courts.
9. Vidhi Centre for Legal Policy. (2020). Inefficiency and judicial delay in India (JALDI Report).
10. India Justice Report. (2020). India Justice Report 2020: Ranking states on police, judiciary, prisons and legal aid.
11. India Justice Report. (2025). India Justice Report 2025: Ranking states on the capacity of justice institutions.
12. Carnegie Endowment for International Peace. (2021). How to start resolving the Indian judiciary's long-running case backlog.
13. Carnegie Endowment for International Peace. (2021). How to start resolving the Indian judiciary's long-running case backlog.
14. National Informatics Centre. (2024). National Judicial Data Grid: Online repository of case statistics.