

***MODEL ACTION PLAN FOR REDUCTION OF ARREARS IN
HIGH COURTS***

The Model Action Plan for Reduction of Arrears in High Courts which was prepared by the Committee to draft Model Case Flow Management Rules for the High Courts, which also includes the recommendations of the Committee for Case Flow Management Rules For Trial Courts, District Appellate Courts, High Courts And to Suggest a Plan for Reduction of Arrears in the High Courts and District Courts is reproduced for ready reference:

"The following factors needs to be taken care in the action plan:

Key Principles for the Action Plan:

a. Prioritizing Older Cases: To focus on identifying and resolving cases that have been pending for 10, 20, or 30 years, giving special attention to the oldest cases.

b. Case Management Hearings: To organize regular hearings to facilitate the faster progression of cases through their various stages.

c. Fair Distribution of Cases: To ensure a balanced distribution of cases while respecting the jurisdictional boundaries of different Benches.

d. Maximizing Technology Use: To leverage IT tools and AI for automated data extraction, defect correction, and summarization, particularly for grouping cases with similar legal issues and identifying infructuous matters.

e. Eliminating Infructuous Matters: To develop strategies to identify and remove matters that are no longer relevant or necessary.

f. Promoting Alternative Dispute Resolution (ADR): To encourage the use of mediation and Lok Adalats to expedite dispute resolution. Special Lok Adalats may be conducted to dispose of compounding cases,

maintenance and matrimonial disputes, land acquisition cases (under two lakhs), MACT and service matters.

g. Engagement with Stakeholders: To involve Bar Associations and relevant agencies to address procedural delays and enhance efficiency.

h. Adaptability to Local Contexts: To adjust strategies to fit the unique circumstances of each State, allowing for flexibility in the implementation of the Action Plan.

i. Report Generation and Monitoring: To regularly generate and monitor reports to assess progress and refine strategies for effective execution.

The High Courts may either follow this action plan as such or may modify it as per their own requirements within stipulated time.

Step 1:

1. Preparation of list of targeted cases: The Registry shall complete the task of preparing a list of targeted cases. Such targeted cases may be ascertained on the basis of relevant parameters such as:

(i) Where accused is in jail for a considerable long time without suspension of sentence.

(ii) Where there is a statutory requirement to decide the matter within stipulated time. For example: death reference cases, cases under Section 374 (4) of Cr.P.C.

(iii) Cases of termination of employees.

(iv) Cases of Senior citizens, cases where a party is suffering from terminal illness and pension related matters etc.,.

(v) Supreme Court expedited cases.

(vi) Writ Petitions/Revision Petitions/Quashing Petitions arising out of pending civil and criminal cases where the pending proceedings have been stayed or investigation is stayed.

(vii) Cases like regular first and second appeals, applications under Section 482 Cr.P.C, criminal appeals, appeals under Section 37 of the Arbitration Act which contribute to the pendency substantially, as applicable to each High Court may be targeted.

(viii) Old MACT matters shall also be identified.

(ix) Cases involving similar legal issues/parties may be clubbed together.

The case types mentioned above are not in order of priority. The case types are nor exhaustive. High Courts can add/modify and fix their own priorities.

Such cases need to be identified and separate category-wise list of cases must be prepared.

2. A unique identifier has to be assigned to the old cases. Upon the filing of a case in the High Court, a mechanism may be put in place to assign a unique identifier to old cases. This identifier would serve the purpose of alerting the Judicial Listing branch and judges that the case requires prioritized listing and hearing.

3. Old 'unready' cases need immediate attention. A time limit must be fixed for the Registry to prepare a list of old 'unready' cases by assigning reasons against each case as to why such case is unready. The said list be placed before the Arrears Committee/Case Flow Management Committee of respective High Courts within a stipulated time. The said Committee shall take a decision within stipulated time for making those cases 'ready' for hearing.

4. Use of technology: The tools including Artificial Intelligence (AI)/software can be used for undertaking the entire exercise of preparing a list of cases which needs immediate attention. The technology can be used to weed out infructuous matters without human intervention. The software prepared by Madhya Pradesh High Court may be followed.

5. Data/Command Centre: The Data/Command Centre in every Registry may be established in order to streamline the data and monitor entire listing and disposal system.

6. Stayed cases: The Judicial branch of High Courts shall prepare a database in respect of old targeted cases which have been stayed by the Supreme Court and send the same to Supreme Court on a monthly basis, and regularly monitor and update the list as to continuance or lifting of stay.

Step 2:

1. The targeted cases may be listed on priority basis at appropriate place in the cause list earmarked for them by giving appropriate heading like 'old cages' or 'priority cases' etc,. Preference to hearing by way of video conferencing shall be given to targeted cases.

2. 10 old cases from the targeted list shall be done in each Court on daily basis to expedite the disposal of old cases.

3. Equal distribution of targeted matters shall be done amongst the Benches.

4. Fixed next hearing dates shall be given and targeted cases shall be proceeded by fixing date-to-date basis avoiding unnecessary adjournments and concrete case progression shall be ensured in old targeted cases.

5. The respective High Courts pursuant to the decision of Arrears Committee/the Hon'ble the Chief Justice can dedicate a particular day or half-a-day in a week for hearing and disposal of targeted cases. Such decision should be communicated to the members of Bar and other stakeholders.

6. High Courts exercising original jurisdiction shall ensure that in targeted matters where evidence is being recorded or yet to be recorded,

the same is done by Joint Registrar (Judicial) or by specially appointed Court Commissioners during the first phase itself. Courts would be advised to utilize appropriate transcription services to speed up the process of recording of evidence.

7. **Weeding out of old cases:** There may be old cases of various nature. A systematic exercise is required to be undertaken to weed out such old matters which have rendered infructuous. In certain High Courts, retired Judicial Officers have been engaged to undertake the scrutiny of such old cases to ascertain whether such matters have rendered infructuous, Judicial branch of the High Court should identify undated old cases and make efforts to assign hearing dates to such targeted cases.
8. **Physical verification of cases:** There should be an ongoing process of physical verification at all levels so that the infructuous and 'unready' cases can be identified and correct data may be collected.
9. **Bail matters:** Bail matters shall be listed before Single Judge Bench only and High Courts may refrain from listing bail matters before Division Benches. By streamlining the process of listing of bail applications across all High Courts, to do away with delay in between filing and listing of such cases.
10. Digital records shall be called from the District Courts in case of appeal or revision to avoid delay caused in calling for physical files of case records in High Courts.
1. **Timeline:** After deliberating with the member judges, a timeline has been drawn to implement the steps enumerated in this Action Plan. These timelines, however, can be adjusted in case pendency is less in a particular High Court. The aforementioned timeline is divided into three phases as follows:

Phase	Objective	Time Period
I.	1. Identification of targeted cases and preparation of list of targeted cases. 2. Physical verification of cases. 3. Identification of infructuous and unready old matters. 4. Resolution of issue qua shortage of Public Prosecutors and Government Advocates	March 2025 to June 2025
II.	1. Disposal of all cases which are more than 30 years old. 2. Disposal of 50% of cases pending for 20 to 30 years old in High Courts where number of 20 to 30 years old cases are more than 25,000 (Allahabad, Calcutta, Punjab & Haryana and Rajasthan), and for other High Courts, disposal of all cases which are 20 to 30 years old.	July 2025 to June 2026
III.	1. Disposal of remaining cases which are 20 to 30 years old. 2. Disposal of 50% of cases pending for 10 to 20 years old in High Courts where number of 10 to 20 years old cases are more than 50,000 (Allahabad, Bombay, Calcutta, Madhya Pradesh, Punjab & Haryana and Rajasthan) and for other High Courts, disposal of all cases which are 10-20 years old.	June 2026 to May 2027