



UNCLOGGING THE DOCKET

TACKLING SHORT, INFRACTUOUS AND OLD CASES

A Centre for Research and Planning Initiative
SUPREME COURT OF INDIA



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SANJIV KHANNA

Chief Justice of India

Foreword

Referring to the adage “justice delayed is justice denied,” concerns are very often raised about the huge arrears of cases in the Indian courts, which demand that the institutions must address issues and evolve mechanisms to solve the problem of burgeoning case load. From one perspective, pendency at the Supreme Court may appear negligible, amounting to about 0.14% of the total case pendency across all Courts, as compared to around 88% in the District Courts and around 12% in the High Courts. However, a simple comparative analysis with other jurisdictions across the globe reveals that our Supreme Court is dealing with one of the heaviest dockets in the world.

This situation arises on account of the expansive jurisdiction that this Court has. Having Original, Appellate, and Advisory jurisdictions, which include the power to transfer cases, discretion to grant special leave, power to entertain Public Interest Litigations (PILs), Election Petitions, contempt petitions, review petitions etc. The Supreme Court’s expansive jurisdiction has led to an exponential increase in the number of cases filed before it. This, in turn, has resulted in huge case pendency, significant delays in the disposal of cases, and increased workload. A glance at the pendency figures would show that as on 18.04.2025, there were around 81,413 pending cases in the Supreme Court, out of which 68,804 are registered cases, while the remaining 12,609 cases are unregistered ones. Out of the 68,804 registered cases, around 54,498 are civil matters and 14,306 are criminal matters. A disconcerting trend noted till 2021, was that the Case Clearance Rate was less than 100% in the Supreme Court of India. However, this has improved ever since and the Case Clearance Rate has now reached, if not breached, the 100% mark, and presently stands at 104.05%.

Seeing the enormity of the problem of case pendency, some may call it the bane of Indian Judiciary. At the same time, the huge case pendency can be seen to be reflective of the strength of our democracy and the accessibility to justice. The fact that so many cases are filed in the Supreme Court is a testament to the faith that people repose in the Indian Supreme Court. While data on cases can be a good starting point and can provide valuable insights, relying solely on numbers can often be misleading. The data may indicate the magnitude of the problem, but it does not reveal the complexities and nuances that underlie it. What is truly important is not just tracking the numbers, but developing a cohesive strategy to tackle the root causes of case pendency and devising new strategies for expeditious disposal of cases. This requires a multifaceted approach that involves the various stakeholders, processes, and judicial infrastructure.

In recent times, this is what has been endeavoured to be done at the Supreme Court. By analysing the data on case pendency and acknowledging the magnitude of the problem, active institutional measures have been adopted to tackle this problem of case management in the Supreme Court. These include efforts to maintain full bench strength, constitution of constitutional and special benches, promotion of Alternative Dispute Resolution mechanisms through the use of Mediation and organisation of Lok Adalats, leveraging technology, periodic scrutiny of defective cases, and ensuring transparency of data on institution, disposal and pendency.

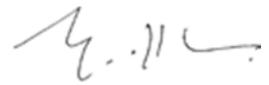
To come up with a comprehensive strategy to tackle case management, efforts were made recently to streamline and improve the backlog of admission matters, specifically by allocating the After Notice matters to be heard initially on three days a week, and since January 2025, on Tuesdays and Wednesdays. Further, to ensure that cases are listed regularly and heard, the matters have been directed to be listed not more than 10-15 days after the time period given by the Court. In April 2025 old pending matters from before 2010 were listed. Some of the connected matters awaiting disposal, despite resolution of the main matter, have also been listed, heard and provided judicial resolution. We have reintroduced the second Registrar's Court to ensure faster processing of cases. Importantly, new case categorisation is being implemented effectively in a collaborative way. Further, measures are being taken to ensure improved e-filing with better mechanisms to cure defects. AI and other technologies are being explored and tested in some of these areas, to the extent it can help prevent the procedural lacunae and save time.

It was observed that nearly 16,000 matters have remained unlisted for years together and seem to have fallen through the cracks. These matters need to be taken up with due expedition and dealt with. This requires proactive efforts from the advocates, who should pursue these matters more diligently and get them listed. In many such cases, the relief that had originally been sought required a mere short hearing while many others became infructuous for various reasons such as death of a party, disposal of the case in the District Court or High Court, settlement arrived at between the parties etc.

In November 2024, the Centre for Research and Planning (CRP) of the Supreme Court was assigned the task of identifying such short, infructuous and old matters. Kriti Sharma, an academician trained in empirical studies, joined as a Deputy Registrar and has been overseeing the project, along with her able team consisting of Ms. Padma Ladol, Assistant Registrar and Judicial Officer, Mr. Shubham Kumar and Ms. Vrishti Shami, Consultants, Ms. Dishita Kapoor, staff for data management and Mr. Anadi Tewari, law clerk assigned for reporting. This has been a collaborative institutional endeavour, as Mr. Pavanesh D., Registrar (Judicial Listing-I), Mr. H.S. Jaggi, (Registrar, Technology), Mr. Santosh Kumar (Registrar, Paper Book) and the staff from their sections have extended critical and unwavering support to this project. Mr. Arul Varma (Registrar, CRP) and Ms. Harshita Mishra (Director, CRP) have provided a wonderful space for this innovative endeavour. Most importantly, the law clerks of CRP form the backbone of this project. They have been dedicated to the project on which they have worked uncompromisingly since November, with each clerk assessing and submitting at least 600 briefs in this short span. On average, they have been submitting 10-12 briefs per day for evaluation and processed over 10,000 cases. I am sure this training and experience will be invaluable and will benefit them lifelong in their legal careers, whether they join the judiciary or an advocate's chamber. Proactively identifying and listing for disposal of these cases by the clerks has helped the bench channelise and focus judicial time and energy on cases which need holistic adjudication.

This report, prepared diligently by CRP, presents the sum total of the mammoth exercise undertaken at the Centre. It provides transparent insights into the process undertaken to identify the matters that were listed in the courts over the last six months to facilitate better case management and improve disposal. I am happy that this information is being disseminated for the benefit of all who may find it useful. Tackling this issue, along similar lines, at different levels of our judiciary can make pursuance of justice a more manageable exercise for our

courts. We all must learn, engage and participate in such critical matters pertaining to our judicial system. Perhaps, the innovations discussed and tried at the Supreme Court will become trailblazers that can be tweaked and emulated in other parts of the country. The possibilities are endless.



(Sanjiv Khanna)

New Delhi;
April 28, 2025

B. R. Gavai

Judge

Supreme Court of India



11, Tughlak Road

New Delhi-110011

Message

The Centre for Research and Planning (“CRP” for short) has been undertaking the arduous, but extremely important task of identifying and dealing with matters that can be disposed of quickly so as to reduce the number of pending matters before this Court. I must firstly express my appreciation towards the CRP for efficiently identifying such matters and listing them before the benches. I must also appreciate the efforts taken by the law clerks attached with the CRP, who have essentially been the engines behind this machine. Their efforts into making briefs for the aforementioned matters greatly accelerated the process and resulted in a total of 1,232 matters being disposed of.

This was a novel initiative aptly implemented by the CRP, which resulted in reducing the immense pressure on the system. However, the actual problem of pendency is much larger and such initiatives cannot be a one-time measure. Continuous development and implementation of such ideas is what will ultimately lead to the creation of a system which is free from pendency. I suggest that within the CRP, a team of law clerks or any other members be created which not only works on implementing existing ideas, but also on identifying the problems in our system which lead to pendency, and the formulation of ideas to tackle the same. Such a continuous problem-solving approach would ultimately put a dent in the number of pending cases.

Following are my suggestions which identify, and try to deal with some issues relating to pendency that I have noticed during my experience in this Court:

1) This suggestion is related to the bundling of similar cases. A pending matter which is arising out of a similar issue or if it is to be heard together with another matter, such matters should be tagged together prior to the stage of hearing before a Court. As per the current practice, the matter has to be mentioned before the Court when the matter is listed for it to be

tagged along with another pending case. This leads to a wastage of the Court's precious time and furthermore, it takes up the spot of another case which could have been listed where an effective hearing could have taken place. Moreover, if such similar matters are listed before different benches of this Court, it creates greater confusion and discord between the proceedings. Hence, a procedure must be developed whereby, similar pending matters must be listed together before the same bench by default, and an option must be given to the parties to get the matter de-tagged if sufficient reasons are raised.

2) This suggestion is about disposing of matters where the issue raised in it has already been settled through a judgment in another matter during its pendency. A judgment of this Court not only aims to solve the problem raised in the particular case but also lays down the law of the land. It has overreaching effects and must result in the disposal of many matters which have been lying pending before this Court. The CRP must identify matters which are covered by such judgments and bring them up to the surface so that the primary issue to be examined is whether the matter is covered by the judgment pronounced during its pendency or not and the same could be disposed of as soon as possible.



(B. R. Gavai)

New Delhi

April 16, 2025

Abhay S. Oka

Judge

Supreme Court of India



New Delhi-110011

Appreciation

The Centre for Research and Planning (CRP) has undertaken the project of identifying old, short, and infructuous cases. I am informed that within a short time, more than ten thousand cases have been processed. Out of the identified cases, a large number of cases have been disposed of. I must record my appreciation for the efforts put in by members of CRP. All of them have worked very hard round the clock, and ultimately, the project undertaken has given results.

The Project of unclogging the dockets' is going to be a continuous project. Therefore, I have a few suggestions to make. We need to work on the concept of what a 'short' case is, In my view, many criminal appeals/ special leave petitions arising out of orders of conviction or acquittal can be included in the category of short cases. A large number of such cases have fewer than ten prosecution witnesses. In many cases, the depositions of only two or three witnesses are material. These cases of appeals/ special leave petitions arising out of appeals against conviction or acquittal, where the number of witnesses is ten or less, can be processed as short cases. While preparing notes for the use of the Hon'ble Judges, a brief summary of depositions of only the relevant witnesses can be added to the note. I have provided a format of note for the benefit of CRP.

While identifying 'old' cases, priority should be given to those appeals/ special leave petitions in which the proceedings of the trial before the civil and criminal courts have been stayed. Unless these matters are taken up, the entire system gets clogged.

While preparing the notes for the benefit of judges, it is necessary to ascertain whether the issue or issues arising in the case are covered by any judgment of this Court. Citations of the judgment and relevant paragraphs of the judgments can be mentioned in the note.

While identifying old' cases, it is necessary to give priority to the cases arising out of matrimonial disputes. The reason is that the long pendency of matrimonial disputes is affecting society at large. By one family dispute, three families are adversely affected. First is the small family of husband, wife, and children, if any. Second is the family of the wife's parents, and third is the family of the husband's parents.

The Law Clerks working with all Hon'ble Judges have evolved their own formats of notes. CRP must get copies of the formats used by them from the Private Secretaries of all the Judges. Thereafter, a comprehensive format of notes should be made. The standard formats will have to be more than one. The reason is that tax matters, civil matters, criminal matters, and writ matters require different formats. Moreover, members of the CRP must meet all the sitting Judges and take their feedback on the manner of making notes.

Those members of the CRP who are preparing the notes must make it a point to sit in different courts. Only after learning how the cases are conducted by different courts, the members of CRP will understand what kind of information needs to be incorporated in the note. I am of the opinion that without interacting with the Hon'ble Judges, CRP will not be able to perform effectively.

Young members of CRP must remember that their loyalty should be to the institution of the Supreme Court and not to individual judges.

CRP can make a very valuable contribution to the functioning of the Supreme Court.

Many more activities can be undertaken by CRP.

While I record my appreciation for the efforts put in by members of CRP, I wish great success to all of them in the future endeavours of CRP.



(Abhay S. Oka)

April 22, 2025

Tackling the Pendency of Cases at the Supreme Court of India

Note from Dr. Anurag Bhaskar, Director, Centre for Research and Planning

22 November 2025

The Registry of the Supreme Court of India has been consistently committed to identifying structural reforms that can reduce pendency and enhance institutional efficiency. Under successive Chief Justices, the Centre for Research and Planning has been entrusted with key initiatives aimed at refining listing practices, improving case categorisation, and ensuring that the Court's docket reflects, with greater accuracy, the matters that truly warrant judicial time and attention.

The work carried out over the past two and a half years may be summarised as follows:

June 2023-October 2024

During the tenure of Chief Justice Dr. D.Y. Chandrachud, a comprehensive docket-review project was initiated in June 2023 to examine pending cases and identify matters that had remained unresolved for an extended period. A specialised team of 15 law researchers was constituted for this purpose, led by officers and consultants of CRP, with additional support from law clerks and research associates.

Over fourteen months, the team undertook a meticulous review and categorisation of thousands of pending matters. Each case was analysed in detail, with briefs prepared based on its age, subject matter, issues involved, and other relevant considerations. The insights generated through this exercise significantly aided in rationalising listings and prioritising cases requiring immediate judicial attention.

Beyond supporting routine disposals, the project also played a key role in the organisation of the Special Lok Adalat Week held from 29 July to 3 August 2024. The foundational work undertaken by the team enabled the identification of matters suitable for amicable settlement, contributing to the disposal of over 1,000 cases during that week. The initiative and its outcomes have been documented in the November 2024 issue of the Supreme Court Chronicle.

November 2024-April 2025

During the tenure of Chief Justice Sanjiv Khanna, the CRP was re-directed to undertake a systematic categorisation of pending matters into short, infructuous, and detailed-hearing cases. A team of 25–30 researchers, led by Deputy Registrar (CRP), carried out this exercise, the results of which are discussed in this Report.

During the process, several valuable suggestions were received (See this Report). Justice B.R. Gavai, then Judge of the Supreme Court, proposed two key reforms: (i) automatic tagging and listing of similar or connected matters before the same Bench to prevent duplication and unnecessary mentioning, and (ii) prompt identification and disposal of cases where the legal issue had already been settled during the pendency of the matter.

Justice Abhay S. Oka (now retired) offered further inputs, noting that many criminal appeals and SLPs, often involving fewer than ten witnesses, could be efficiently treated as short matters with concise, issue-focused briefs. He also suggested prioritising old criminal appeals where trials were complete, and matrimonial disputes due to their significant social impact. Additionally, he recommended creating standardised note formats for law clerks across subject areas, based on existing practices and refined through feedback from sitting Judges.

May-November 2025

After Justice B.R. Gavai assumed office as Chief Justice of India in May 2025, the CRP undertook a further refined pendency-management exercise aimed at deeper systemic reform and more accurate docket reconciliation. The earlier practice of manual brief-making was stopped as it was time-consuming. A new two-fold agenda was conceptualised: (1) a review of “unregistered” cases, which are matters filed by advocates but not yet listed for adjudication; and (2) a parallel review of cases pending before the Court.

Beginning in May 2025, the CRP initiated a focused institutional audit of unregistered matters, which were believed to be artificially inflating pendency figures. Combining manual scrutiny with technology-enabled verification, the CRP conducted a four-month review to determine the actual judicial status of these cases. This was necessary because several matters had remained stagnant at the pre-registration stage for long periods, distorting pendency statistics, creating avoidable burdens for Registry Sections, and, in some instances, leaving cases fit for listing outside the judicial process due to minor inaccuracies.

The exercise was therefore designed around three objectives: (i) verifying whether unregistered cases were genuinely live or pending due to systemic lapses; (ii) identifying cases ready for listing after resolving procedural issues; and (iii) creating a sustainable institutional mechanism combining manual and technological review for periodic audits. This required coordinated administrative effort, technical intervention, and process reform.

The project was carried out under the directions of the Chief Justice of India, with operational oversight from senior Registry officials and the Director of CRP. The work progressed in two phases. Phase I (May–June 2025) involved a manual audit in which CRP researchers examined nearly 19,000 unregistered cases. In July 2025, the team analysed the findings, identified technical gaps, and finalised the framework for digital verification. Phase II (September 2025) consisted of a technology-assisted audit undertaken with the Consultant (Tech), CRP.

In Phase I, the team created a master list of all unregistered cases reflected on the National Judicial Data Grid and categorised them into: (i) “No Records Found” cases (including matters without section details or with incomplete online records); (ii) defective matters (including cases where defects were not cured within 90 days or placed under peremptory orders); (iii) matters already disposed of but not updated digitally; and (iv) other unregistered categories.

Each matter was reviewed under standardised parameters: retrieving available information from the website, cross-checking past orders, cause-lists, listing history, defect status, and any other relevant indicators. Researchers identified procedural gaps and recommended a course of action for each case. All data were consolidated into a master spreadsheet. By the end of Phase I, the CRP had generated a fully verified database, created a disposal-update list, traced recurring inefficiencies, and formulated recommendations for technological strengthening.

Phase II focused on automating the review. Working with the Consultant (Tech), the CRP designed a tool capable of cross-matching case-management metadata with judicial orders and office reports. A human-in-the-loop system ensured that low-confidence alerts were manually verified. Once deployed, the tool generated lists of disposed cases requiring updates, cases pending due to procedural lapses, and section-wise audit sheets, significantly reducing verification time and enabling a near-complete cleanup of old unregistered matters.

After verification, the CRP prepared section-wise lists for the Registry, recording case details, recent orders, pending requirements, and recommended next steps. Registry Sections were then

given the exercise to update status, issue reminders, schedule hearings, and seek clarifications as required.

The audit revealed both quantitative and qualitative insights. It identified a large number of unregistered cases that were already disposed of, but incorrectly reflected as pending; others were awaiting procedural steps or registry action. Technology-assisted review sharply reduced verification time. The exercise also exposed recurrent systemic issues: delays in updating disposals, inconsistencies in document indexing, compliance-related lapses, uneven use of metadata fields across Registry Sections, and legacy cases with incomplete digital footprints.

The automation introduced in Phase II allowed the Registry and CRP to focus on substantive corrective actions rather than routine verification. Cases ready for adjudication surfaced earlier, improving access for litigants. Additionally, a review of around 65,000 pending registered cases was completed, generating granular category-wise data on pendency across the Court.

Suggestions

Against this backdrop, the CRP proposes a set of operational, technical, and policy-level measures to institutionalise the gains achieved through this exercise. Operationally, the CRP recommends adopting a quarterly verification cycle that combines automated review with targeted manual scrutiny, strengthening sectional accountability through monthly closure reports and quarterly reconciliations, and standardising key registry fields to enable reliable automated checks.

At the policy level, the Report suggests issuing a uniform Standard Operating Procedure for defect-removal with technology-enabled reminder systems and escalation pathways, as well as establishing a small, dedicated verification unit within the Registry to oversee future audits and maintain continuity.

In conclusion, the pendency-reduction exercise undertaken between May and September 2025 demonstrates that a calibrated blend of manual auditing and thoughtfully designed technological tools can significantly enhance the accuracy of judicial case data, accelerate the listing of matters ready for hearing, and reduce administrative inefficiencies.

More importantly, the initiative provides a replicable institutional model, a robust technological framework, and stronger collaborative channels between the CRP and Registry sections. Institutionalising the automated verification tool, introducing periodic audit cycles, standardising registry practices, and creating a dedicated verification unit together chart a sustainable path for maintaining docket integrity and improving the administrative efficiency of the Supreme Court.

The Pendency Problem

According to the National Judicial Data Grid, 90,379 cases are shown as pending before the Supreme Court. However, a detailed analysis reveals that 21,362 of these are unregistered matters, that have been filed but are not ready for judicial consideration due to missing documents, unresolved defects, or filing errors that remain unrectified by counsel. Once these unregistered matters are excluded, the number of cases actually ripe for hearing stands at 69,017.

A further refinement comes from examining tagged matters. As of February 2025, 23,886 cases are tagged to a main case, often arising in large or complex disputes where multiple parties file separate but related petitions. After removing these tagged matters, the total number of cases needing independent judicial adjudication is 45,131.

A broader look at the Court's performance between 2018 and September 2025 shows that 210,478 cases were filed, while 207,493 were disposed of, reflecting an impressive clearance rate of 98.5%. This demonstrates the Court's consistent commitment to keeping pace with incoming filings.

The Court has also prioritised the listing of matters requiring larger benches. Presently, there are 163 main matters pending before three-judge benches, 21 before five-judge benches, 5 before seven-judge benches, and 4 before nine-judge benches. The CRP has prepared detailed summaries of these cases to facilitate timely listing and adjudication.

In parallel, the CRP has been closely analysing pendency data and reviewing each pending matter to identify delays, with particular attention to cases pending for over a decade.

These findings underscore the need for a long-term, institutionalised strategy to address pendency, which integrates technological tools, structured audits, and sustained administrative reform.



(Dr. Anurag Bhaskar)
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I. Introduction: Approach to Case Management and Pendency

A. Introduction

As the world's largest democracy, India has entrusted its judiciary a role of unparalleled depth and breadth. Unlike many nations where the courts of last resort are restricted in jurisdiction, the Indian Supreme Court and High Courts have been given wide-ranging powers under the Constitution of India, 1950. These courts function not merely as appellate forums, but as institutions tasked with the preservation of constitutional order, the enforcement of fundamental rights, and the adjudication of complex legal and societal matters. Article 32 of the Constitution enables individuals to approach the Supreme Court directly for the enforcement of their fundamental rights. A similar provision under Article 226 grants the High Courts authority to issue writs, not only for the enforcement of fundamental rights, but also for "any other purpose." This dual access, both appellate and original, sets Indian constitutional courts apart from their counterparts in many other jurisdictions.

The significance of this design lies in its openness. Courts in India are readily accessible to citizens seeking relief not just against individual grievances but also in matters involving systemic failures or violations of public rights. Over the years, this open-door architecture has played a central role in strengthening democratic institutions, securing civil liberties, and enforcing the accountability of public functionaries.¹ However, this expansive jurisdiction and growing litigation carries a structural implication that cannot be ignored. The sheer volume and variety of cases that reach the higher judiciary ranging from criminal appeals and land disputes to environmental litigations and public interest petitions inevitably result in the accumulation of cases.

It is in this context that the issue of judicial pendency must be understood. The growing volume of pending cases is not merely the product of delay. It is, in no small measure, the outcome of the very constitutional vision that makes Indian courts accessible to a broad spectrum of legal claims, including those concerning rights, governance, and public interest. Further, studies have

¹ Aparna Chandra, William H.J. Hubbard & Sital Kalantry, *The Supreme Court of India: A People's Court?*, (2017) Indian Law Review, available at <https://doi.org/10.1080/24730580.2017.1405583>, available at <https://cpb-us-e1.wpmucdn.com/blogs.cornell.edu/dist/2/7529/files/2017/05/The-Supreme-Court-of-India-A-Peoples-Court-2m3odf8.pdf>

proven that there is a positive correlation between society's modernisation and increase in reliance on formal institutions, such as the courts.² That a vast and diverse citizenry frequently turns to the judiciary is a testament to the institution's moral and legal authority. But it also explains why the courts, at all levels, are often overburdened.

As of mid-April 2025, the volume of pending cases across the Indian judiciary reflects a grave and persistent institutional issue. The Supreme Court has a pendency of 81,015 cases, while the cumulative pendency before the High Courts stands at 62,61,894. At the level of the district courts, the figure stands at 4,53,73,023.³ These numbers, while quantitative in nature, point to a systemic concern. They also represent unresolved disputes that affect the lives of millions. Whether the question is one of liberty, livelihood, or property, each delayed case reflects not just institutional strain but also the weight of public expectation placed upon the judiciary.

Pendency must be distinguished from concepts such as backlog, delay, and arrears — terms frequently used interchangeably in both policy circles and popular discourse. The Law Commission of India, in several of its reports, has sought to delineate these terms with greater clarity.⁴ “Pendency” refers to all cases that have been filed but not yet decided, regardless of how recently they were instituted. In contrast, “delay” refers to cases that remain unresolved beyond a reasonable period, which varies depending on the nature of the matter. “Arrears” refer specifically to those delayed cases that are procedurally complete and awaiting adjudication for no legally or operationally justified reason. “Backlog,” meanwhile, arises when the volume of fresh filings outpaces the capacity of courts to dispose of them within a given time frame.

The implications of delay and arrears are far-reaching. When cases are not resolved within a reasonable period, the costs are borne not only by the litigants but also by society at large. In the commercial sphere, prolonged litigation discourages investment and impedes contract

² Menaka Guruswamy & Aditya Singh, *Village Courts in India: Unconstitutional Forums with Unjust Outcomes*, 3 J. Asian Public Policy 281, 282 (2010); Arnab Kumar Hazra & Maja B. Micevska, *The Problem of Court Congestion: Evidence from Indian Lower Courts*, in *Judicial Reforms in India: Issues & Aspects* 137, 144–45 (Arnab Kumar Hazra & Bibek Debroy eds., 2007); Sital Kalantry, Theodore Eisenberg & Nick Robinson, *Litigation as a Measure of Well-Being*, 62 *DePaul Law Review* 247 (2013).

³ https://njdg.ecourts.gov.in/njdg_v3/ as on 08.04.2025.

⁴ Law Commission of India, *Arrears and Backlog: Creating Additional Judicial (wo)manpower*, Report No. 245 (July 2014).

enforcement.⁵ In matters of personal liberty and civil rights, delay amounts to a de facto denial of justice.⁶ The constitutional promise of timely adjudication is, therefore, not an aspirational ideal, it is a substantive right.

It is essential to understand that the responsibility for judicial delay and pendency lies on all of us. This phenomenon is deeply embedded in a broader institutional ecosystem involving multiple stakeholders each of whom plays a significant role, whether directly or indirectly, in the pace and quality of justice delivery. On the judicial side, there may be issues of infrastructure, requirement of judges, disposal or case management concerns.⁷ Executive agencies, law enforcement authorities, members of the Bar, litigants and expert bodies also contribute to the efficiency or inefficiency of the system. Procedural delays may stem from incomplete investigations, non-appearance of witnesses, overburdened public prosecutors, or adjournment-seeking practices by the counsels. In many cases, the administrative bodies can better resolve grievances at the departmental level to avoid escalating disputes into formal litigation. It is also recognised that biggest parties, for instance, government as the largest litigant, can further assist on this issue by streamlining their litigation.⁸ Curbing pendency, therefore, has to be a collaborative response. Experts in the field of empirical studies have proposed a range of interventions to address these systemic challenges through justice-centric approach, ensuring realisation of substantive rights, procedural fairness, and accountability across the legal system.⁹

⁵ World Bank, *Doing Business 2020* (Washington, D.C.: World Bank, 2020), <https://doi.org/10.1596/978-1-4648-1440-2>.

⁶ *Hussainara Khatoun & Ors. v. Home Secretary, State Of Bihar*, 1980 (1) SCC 98.

⁷ Jayanth K. Krishnan, Shirish N. Kavadi, Azima Girach, Dhanaji Khupkar, Kilindi Kokal, Satyajeet Mazumdar, Nupar, Gayatri Panday, Aatreyee Sen, Aqseer Sodhi & Bharati T. Shukla, *Grappling at the Grassroots: Access to Justice in India's Lower Tier*, 27 *Harvard Human Rights Journal* 151 (2014), available at <https://www.repository.law.indiana.edu/facpub/1302>.

⁸ Menaka Guruswamy, *The Judicial Pendency Question: How to Lighten the Court's Load*, *The Indian Express* (Jan. 7, 2023), <https://indianexpress.com/article/opinion/columns/judiciary-pendency-court-load-government-judges-8366252/>.

⁹ Aparna Chandra, *Indian Judiciary and Access to Justice: An Appraisal of Approaches*, in DAKSH (ed.), *State of the Indian Judiciary: A Report* 183 (2016); Varsha Aithala, Rathana Sudheer & Nandana Sengupta, *Justice Delayed: A District-Wise Empirical Study on Indian Judiciary*, 12 *J. Indian L. & Soc'y* 1 (Monsoon, 2021); S. Dalat & B. Dewan, *Cause of Pendency of Cases in India: An Analysis*, 6 *Int'l J. Health Sci. (Supp. 1)* 13248–13252 (2022), <https://doi.org/10.53730/ijhs.v6nS1.8313>; Varsha Aithala, Anushka Sachan, Srijoni Sen, Himanshu Payal & Chiranjib Bhattacharya, *Decision Time: Illuminating Performance in India's District Courts*, 6(32) *Data & Pol'y* (2024); Nick Robinson, *A Quantitative Analysis of the Indian Supreme Court's Workload*, *J. Empirical Legal Stud.* (forthcoming, Dec. 13, 2012), available at SSRN: <https://ssrn.com/abstract=2189181> or

To address these issues, the Indian judiciary alongside key institutional actors have progressively introduced a series of measures intended to improve judicial efficiency, expand meaningful access to justice, and mitigate the growing burden of pendency. These reforms, encompassing legislative revisions, procedural innovations, administrative restructuring and technological adoption, point to a sustained commitment to strengthening the justice system. What follows is a closer examination of these institutional responses, tracing their development and the ways in which this contributes to shaping a more responsive and enduring judicial framework.

B. Suggestions of Reform-Oriented Committees

The issue of judicial pendency demands a more refined understanding than what aggregate figures alone can offer.¹⁰ Recognising this, several studies and institutional reports have advocated for a shift from headline pendency numbers to more context-sensitive metrics that can accurately reflect systemic challenges and enable targeted reform.¹¹

Key reform-oriented committees such as the *Malimath Committee on Criminal Justice Reforms*¹² and the *Jagannadha Rao Committee on Civil Justice Reform*¹³ have long underscored the need for case-type-specific timelines and adjudication caps. The Supreme Court's 2003 judgment in *Salem Advocate Bar Association v. Union of India*¹⁴ formally endorsed these principles, encouraging structured case management and categorisation. A

<http://dx.doi.org/10.2139/ssrn.2189181>; Aparna Chandra, William H.J. Hubbard & Sital Kalantry, *The Supreme Court of India: An Empirical Overview of the Institution*, Pub. L. & Legal Theory Working Paper No. 660 (2018).

¹⁰ The Harris Committee in West Bengal(1949), the Wanchoo Committee in Uttar Pradesh (1950), the Satish Chandra Committee (1986) and the Arrears Committee (Malimath Committee) (1989-1990).

NCMS Baseline Report on National Framework of Court Excellence (NFCE): Report of the Sub-Committee Headed by Hon'ble Justice G. Rohini.

¹¹ Vidhi Centre for Legal Policy, *Working Paper 3: A Framework for Extremely Delayed Cases*, available at <https://vidhilegalpolicy.in/research/differentiated-case-management-for-the-indian-judiciary/> (last visited Apr. 14, 2025); Law Commission of India, *124th Report: The High Court Arrears – A Fresh Look* (1988), available at <https://cdnbbsr.s3waas.gov.in/s3ca0daec69b5adc880fb464895726dbdf/uploads/2022/08/2022080816.pdf> (last visited Apr. 14, 2025).

¹² Ministry of Law and Justice, Government of India, *Report of the Committee on Reforms of the Criminal Justice System (Malimath Committee)* (2003) 164, ¶ 13.3.

¹³ Jagannadha Rao Committee, *Consultation Paper on Case Management*, available at http://lawcommissionofindia.nic.in/adr_conf/casemgmt%20draft%20rules.pdf (last visited Apr. 14, 2025).

¹⁴ *Salem Advocate Bar Association v. Union of India*, (2010) INSC 615.

significant development in this landscape came with the 2024 report of the Sub-Committee on Defining Arrears under the National Court Management Systems (NCMS).¹⁵ This report marked a shift in analytical focus by introducing a classification system that distinguishes between (a) gross case load (all pending cases), (b) disposable case load (cases ready for final hearing), and (c) arrears (cases procedurally ripe but unresolved beyond a reasonable timeframe).¹⁶ Importantly, the report rejected simplistic numerical thresholds, such as five-year caps for defining arrears, arguing instead for differentiated benchmarks based on case type, complexity, and institutional context. For instance, the lifecycle of a land acquisition dispute is not comparable to that of a bail application, nor can courts with differing resource capacities be held to uniform standards. The report also identified six critical challenges that frustrate the creation of universal arrears definitions: (i) the inadequacy of single-duration benchmarks, (ii) the obfuscation caused by aggregate pendency data, (iii) the neglect of procedural readiness in evaluating delay, (iv) inconsistent data practices across jurisdictions, (v) the underutilisation of administrative assessment mechanisms, and (vi) the absence of meaningful feedback loops to calibrate policy interventions based on outcomes.

In the Trial Courts, where the majority of litigation originates, the burden of pendency is more acute. The 120th Report of the Law Commission highlighted the urgent need to improve the judge-to-population ratio, which stood at a modest 10.5 judges per million at the time.¹⁷ Despite multiple reiterations of this concern, including in the 245th Report,¹⁸ the recommended benchmark of 50 judges per million has not yet been reached. This deficit is compounded by recurring judicial vacancies, slow recruitment processes, and limited fiscal allocations.¹⁹

¹⁵ National Court Management Systems Committee, *Defining Arrears: 2024 Report of the NCMS Sub-Committee on Defining Arrears* (2024), available at <https://cdnbbsr.s3waas.gov.in/s3ca0daec69b5adc880fb464895726dbdf/uploads/2024/11/2024111276.pdf> (last visited Apr. 14, 2025).

¹⁶ *Ibid.*, at 26–27.

¹⁷ Law Commission of India, *120th Report: Manpower Planning in Judiciary – A Blueprint* (1987), available at <https://cdnbbsr.s3waas.gov.in/s3ca0daec69b5adc880fb464895726dbdf/uploads/2022/08/2022080852.pdf> (last visited Apr. 14, 2025).; Ministry of Law & Justice, *Press Release*, Dec. 10, 2002, available at <https://archive.pib.gov.in/release02/lyr2002/rdec2002/10122002/r101220022.html> (last visited Apr. 14, 2025).

¹⁸ Law Commission of India, *245th Report: Arrears and Backlog – Creating Additional Judicial (wo)manpower* (2014), available at <https://cdnbbsr.s3waas.gov.in/s3ca0daec69b5adc880fb464895726dbdf/uploads/2022/08/2022081643.pdf> (last visited Apr. 14, 2025).

¹⁹ *Supra* note 12, at 7.

Beyond resource constraints, some lower courts are beset by structural difficulties, they can do with better infrastructure and digital integration with proper monetary allocations by their states.²⁰ Further, in day to day practices, delay in hearing trials cannot be encouraged. While statutory amendments to the Code of Civil Procedure, 1908 have sought to curtail delays in hearing of cases, their enforcement needs to be ensured. Otherwise, the broader result is a litigation environment where procedural justice is hindered by operational limitations.²¹ In response, successive Law Commission reports from the 77th²² to the 230th²³ have recommended the institutionalisation of judicial case management, including increased reliance on written submissions, structured pre-trial protocols, and the restriction of court vacations.²⁴

C. Judiciary following International Best Practices

Across jurisdictions, the issue of judicial pendency and need for effective docket management has prompted the formulation of diverse institutional responses aimed at improving procedural efficiency and enhancing the legitimacy of courts as forums of timely adjudication. Appraisal of judicial reforms globally reveals five principal domains of innovation: empirical performance monitoring, technological integration and prioritisation of old/legacy matters, structural reorganisation and procedural streamlining.²⁵ We find that Indian courts have been making efforts to reform the justice delivery system on all these fronts.

²⁰ LiveLaw News Network, *Judge-To-Population Ratio Was Ordered To Be Made 50 Per Million By 2007, But Not Even 25 Per Million In 2024: Supreme Court Laments*, LIVELAW.IN (Nov. 22, 2024), available at <https://www.livelaw.in/top-stories/judge-to-population-was-ordered-to-be-made-50-per-million-by-2007-but-not-even-25-per-million-in-2024-supreme-court-laments-276063> (last visited Apr. 14, 2025).

²¹ Law Commission of India, *239th Report: Expedition Investigation and Trial of Criminal Cases Against Influential Public Personalities* (2012), available at <https://cdnbbsr.s3waas.gov.in/s3ca0daec69b5adc880fb464895726dbdf/uploads/2022/08/2022081021-2.pdf> (last visited Apr. 14, 2025).

²² Law Commission of India, *77th Report: Delay and Arrears in Trial Courts* (1978), available at <https://cdnbbsr.s3waas.gov.in/s3ca0daec69b5adc880fb464895726dbdf/uploads/2022/08/2022080573-1.pdf> (last visited Apr. 14, 2025).

²³ Law Commission of India, *230th Report: Reforms in the Judiciary – Some Suggestions* (2009), available at <https://cdnbbsr.s3waas.gov.in/s3ca0daec69b5adc880fb464895726dbdf/uploads/2022/08/2022081063-2.pdf> (last visited Apr. 14, 2025).

²⁴ See also *Supra* note 12.

²⁵ Helena Whalen-Bridge, *Court Backlogs: Balancing Efficiency and Justice in Singapore*, 879–894 (2017), available at <http://ssrn.com/abstract=3076464>; *Best Practices on the Prevention of the Unreasonable Length of Proceedings: Experiences of the CEPEJ*, available at <https://rm.coe.int/best-practices-on-the-prevention-of-the>

(i) Empirical Performance Monitoring and Time Diagnostics

An essential pillar of judicial reform lies in the use of empirical tools to measure, diagnose, and address inefficiencies. We have recognised the importance of embedding empirical tools and having transparent performance diagnostics as part of the judicial reform framework. The National Judicial Data Grid (NJDG), developed under the e-Courts Mission Mode Project, provides real-time data on case pendency, disposal rates, and judicial performance across all levels of the judiciary. This and internal mechanisms of evaluation ensure there is empirical performance monitoring and time diagnostics. Here, our pilot initiative of the Supreme Court's Centre for Research and Planning (CRP) too carried out disposal analytics for identified matters to support data-driven policy interventions.

(ii) Technology Integration and Digital Judicial Governance

Digital infrastructure has emerged as a cornerstone of judicial efficiency in numerous jurisdictions. India's judiciary has undertaken a series of technological and institutional reforms aimed at improving access to justice. As stated earlier, the e-Courts Mission Mode Project, launched under the National e-Governance Plan, stands at the centre of this transformation. Now in its third phase, the project has succeeded in computerising over 20,000 courts, enabling digital record-keeping, real-time access to cause lists, orders, and case information through the Case Information System (CIS).²⁶ Innovations such as e-filing, video conferencing, and the e-Courts Services mobile application have been widely deployed, allowing litigants, lawyers, and judges to interact more efficiently with the court system. With Phase III approved in 2023, the initiative now envisages a shift towards paperless courts, automated document processing,

unreasonable-length-of-proceed/1680790b44; *Leveraging on Information and Communication Technology (ICT) to Promote Access to Justice*, available at <https://judiciary.go.ke/leveraging-on-information-and-communication-technology-ict-to-promote-access-to-justice/>; Leo Kipkogei Kemboi, *The Case Backlog Problem in Kenya's Judiciary and the Solutions* (Apr. 20, 2021), available at SSRN: <https://ssrn.com/abstract=3841487> or <http://dx.doi.org/10.2139/ssrn.3841487>; Action Committee on Court Operations in Response to COVID-19, *Minimizing Court Backlog and Delays: Repository of Promising Practices* (Office of the Commissioner for Federal Judicial Affairs Canada, Ottawa, 2022), available at: <https://www.fja.gc.ca/COVID-19/Minimizing-Backlogs-and-Delays-Minimiser-les-engorgements-et-les-delais-eng.html> (last visited on April 18, 2025).

²⁶ Ministry of Law & Justice, *e-Courts Mission Mode Project*, Press Information Bureau, Dec. 17, 2024, available at <https://pib.gov.in/PressReleaseIframePage.aspx?PRID=2085127> (last visited Apr. 14, 2025).

and enhanced use of AI-based tools to support judicial decision-making and scheduling, thereby embedding digital infrastructure as a structural component of justice delivery.²⁷

(iii) Legacy Case Prioritisation and Differentiated Case Management

Another important domain of reform has involved the targeted disposal of long-pending or complex cases through structured triaging. Prioritised cases that had been pending for extended periods can be disposed through layered scheduling reviews and the creation of judicial rosters that flag aging dockets for expedited resolution. Differentiated Case Management (DCM) frameworks are where cases are classified at the filing stage based on complexity, urgency, and procedural requirements. This classification allows courts to allocate resources proportionally, ensuring that simpler cases are disposed of quickly while more intricate disputes receive the deliberative attention they merit. DCM has also enabled courts to identify bottlenecks in specific case categories and devise remedial timelines that are both realistic and enforceable.

India's judiciary has increasingly embraced structured approaches to manage long-pending and complex cases, drawing parallels with global practices such as differentiated case management and prioritised docket review. In response to Supreme Court directives, High Courts across the country have constituted Arrears Committees tasked with identifying cases that have remained pending for extended durations, particularly those exceeding five years.²⁸ These committees work in tandem with district judiciary leadership to devise strategies for time-bound disposal, including the creation of special benches, thematic cause lists, and prioritised hearing schedules. Here, initiatives like the one undertaken by CRP assist in executing DCM. It can further facilitate identifying and segregating amongst the pending cases based on different classification categories (See Chapter II).

(iv) Structural Reorganisation and Decentralised Adjudication

Structural reforms, particularly those that seek to decentralise or diversify adjudication, have played a significant role in easing pendency in certain jurisdictions. These efforts are embedded within a broader institutional vision that treats court efficiency as a public service imperative,

²⁷ Ministry of Law & Justice, *Use of AI in Supreme Court Case Management*, Press Information Bureau, Mar. 20, 2025, available at <https://pib.gov.in/PressReleaseIframePage.aspx?PRID=2113224> (last visited Apr. 14, 2025).

²⁸ Law Commission of India, *Report of the Arrears Committee (1989–1990)*, available at <http://dakshindia.org/wp-content/uploads/2016/08/Malimath-89-90.pdf> (last visited Apr. 14, 2025).

rather than a narrow bureaucratic concern.²⁹ India's efforts, through mechanisms such as various Tribunals, Gram Nyayalayas,³⁰ Fast Track Courts,³¹ and Evening Courts,³² reflect a vision of decentralised and accessible justice. With renewed policy focus, improved resource allocation, and sustained capacity-building efforts, these institutions hold considerable promise in advancing timely justice delivery and easing the burden on conventional court systems.

(v) Procedural Timeframes and Hearing Discipline

One of the most prominent approaches to mitigating delay has been the imposition of time-bound procedures that enforce hearing discipline and reduce unnecessary adjournments. For this continuous trial systems need to be ensured with timelines for procedural stages and a digital system that tracks hearing compliances, monitors delays and facilitates docket management can facilitate this objective. Along with the court monitoring, administrative coordination between agencies can compress case timelines without compromising procedural fairness. From the moment an offence is reported, police investigations, prosecutorial decisions, and court scheduling can operate in tandem to resolve matters within a given window. Setting enforceable procedural benchmarks can be achieved when coupled with institutional discipline and inter-agency accountability that can meaningfully curtail delay.

In a similar vein, Indian courts have recognised the necessity of adopting time-sensitive adjudication frameworks. Various High Courts have promulgated *Case Flow Management Rules*³³ that prescribe indicative timelines for different stages of litigation and impose restrictions on the granting of adjournments. Judicial pronouncements, notably in *Salem Advocate Bar Association v. Union of India*,³⁴ have reaffirmed the judiciary's constitutional

²⁹ Leo Kipkogei Kemboi, *The Case Backlog Problem in Kenya's Judiciary and the Solutions* (Institute of Economic Affairs Kenya, Apr. 20, 2021), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3841487 (last visited Apr. 14, 2025).

³⁰ Department of Justice, *Gram Nyayalaya – An Introduction*, available at <https://dashboard.doj.gov.in/gn/introduction> (last visited Apr. 14, 2025).

³¹ Department of Justice, *Fast Track Special Courts (FTSCs)*, available at <https://doj.gov.in/fast-track-special-court-ftscs/> (last visited Apr. 14, 2025).

³² Office of the District & Sessions Judge, Delhi, *Press Brief on Evening Courts*, available at https://session.delhi.gov.in/sites/default/files/evening_courts_pressbrie2f.pdf (last visited Apr. 14, 2025).

³³ DAKSH, *Case Flow Management Rules in India: An Evaluation*, available at <https://www.dakshindia.org/case-flow-management-rules-in-india/> (last visited Apr. 14, 2025).

³⁴ *Supra* note 15.

obligation to secure expeditious justice and have endorsed the adoption of procedural safeguards to that end. Complementing these efforts, judicial training programmes conducted by the National Judicial Academy and its state counterparts increasingly emphasise upon having structured docket control and efficient hearing practices.³⁵

D. Specific Strategies as Supreme Court's Institutional Response

The Supreme Court of India has, in recent years, adopted a series of structured and internally-driven reforms to address the persistent challenge of judicial pendency. These reforms signal a significant shift in the Court's approach away from episodic or reactive measures and towards a more calibrated, data-informed strategy for managing its docket.

The Court's response to pendency has taken multiple forms. Meaningful progress has been registered in several of the suggested domains. Likewise, mechanisms such as the Mediation Centre at the Supreme Court and organisation of Lok Adalats provide alternative pathways to dispute resolution. Under the direction of the Chief Justice of India, who is the master of the roster, cases across different categories languishing in the system are listed systematically. For instance, the Court has placed required emphasis on the listing of cases involving questions of personal liberty. Petitions for bail, writs of habeas corpus, death penalty and jail appeals are being scheduled timely, reflecting a conscious institutional effort to respond swiftly to matters that directly affect the freedom and rights of individuals. This is reflected in the ongoing criminal disposal rate which stands at 111.08% (as on April 18, 2025).

At the procedural level, one of the notable changes in recent times has been reorganisation of the hearing calendar to maximise judicial time. The Court has designated specific days in the week i.e. Tuesdays and Wednesdays, for hearing 'After Notice' Miscellaneous matters. This initiative, implemented from January 2025, has enabled each Bench to take up approximately 45 to 50 such matters per day, thereby ensuring a significant increase in the disposal rate of such cases. Here, the top ten additional matters listed were CRP identified matters that were short, infructuous or old that, on average, could be resolved within 30-45 minutes. Similarly, on Regular days (Thursdays) CRP identified matters as short, infructuous and old were listed across the courtrooms, along with fixed date and other matters. In addition, judicial directions

³⁵ National Judicial Academy, *NJA Newsletter*, Vol. 18, Issue 2 (Dec. 2022), available at [https://nja.gov.in/Journals_Publications_Newsletters/Newsletter%20of%20the%20NJA\(December,%202022\).pdf](https://nja.gov.in/Journals_Publications_Newsletters/Newsletter%20of%20the%20NJA(December,%202022).pdf) (last visited Apr. 14, 2025).

have been issued to ensure that matters directed to be listed after a certain interval are brought before the Bench within a definitive time frame of 10 to 15 days.³⁶ Additionally, in March and April 2025, a dedicated exercise was carried out to address the backlog of cases instituted prior to 2010. In April and May, around 900 cases of Motor Accident Claims Tribunal (MACT) are to be listed for hearing and disposal. There were over 500+ cases where the main issue had been adjudicated but the connected cases had remained pending, and these have now been cleared from the docket. We have listed and given resolutions to many group matters which should have a cascading effect of increasing disposal across the lower forums too.

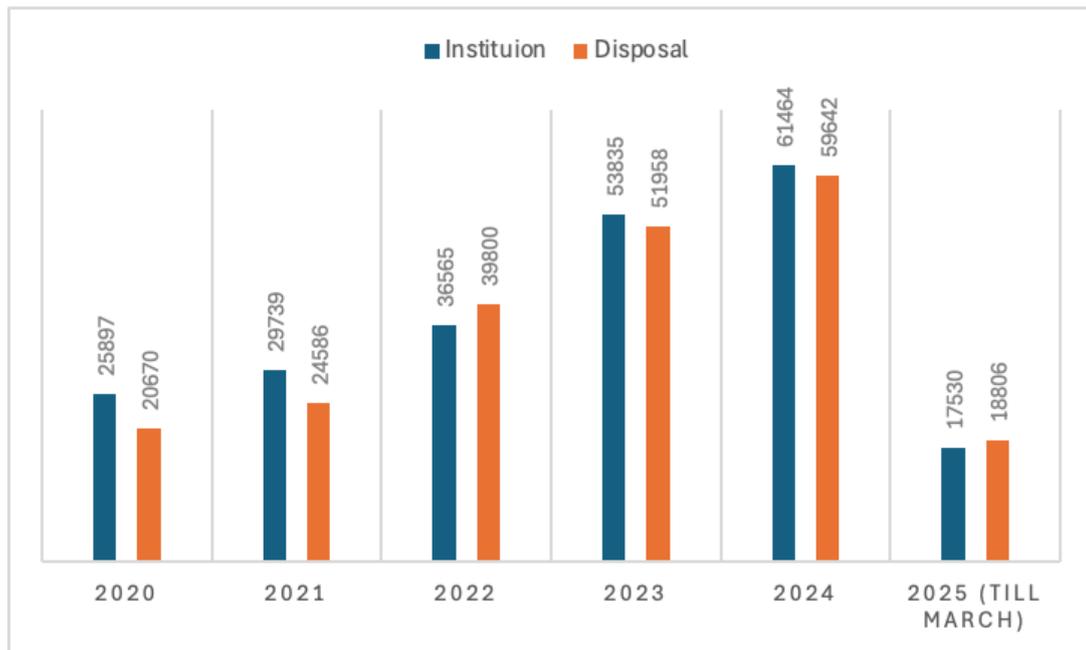
The Court has made a second Registrar's Court functional to accelerate the clearance of matters stuck at procedural stages since the month of April, 2025. Ongoing reforms in the domain of case categorisation and defect management will further improve the consistency and quality of case listings, while technological upgrades such as the expansion of e-filing systems, digital cause lists, and careful deployment of AI tools are being looked into to ensure better efficiency in the Court's operational framework.³⁷ Collectively, these measures have yielded tangible results: in both 2024 and the first quarter of 2025, the Supreme Court recorded a Case Clearance Rate which presently stands at 104.05%, contributing to a measurable reduction in the overall pendency of matters.³⁸

³⁶ Advay Vora, *January 2025: Pendency Increases by Over 2,600 Compared to Last January*, Supreme Court Observer (Feb. 6, 2025), available at <https://www.scobserver.in/journal/january-2025-pendency-increases-by-over-2600-compared-to-last-january/> (last visited Apr. 14, 2025).

³⁷ Ministry of Law & Justice, *Use of AI in Supreme Court Case Management*, Press Information Bureau, Mar. 20, 2025, available at <https://pib.gov.in/PressReleasePage.aspx?PRID=2113224> (last visited Apr. 14, 2025).

³⁸ *Supra* note 36.

Graph 1: Supreme Court of India, Disposal and Pendency from Year 2020 to March 2025 (Total of Admission and Regular Matters)



It should be noted that 2020- 2022 case institutions and disposals were affected by the coronavirus pandemic.

Central to this institutional transformation is the CRP’s case management initiative, carried out between November, 2024 and May, 2025 under the present Chief Justice of India. Differentiating cases to ensure management is already part of the listing system. For instance, we have a well developed classification system implemented at the Supreme Court. Cases are categorised and prioritised for disposal wherever bottlenecks are identified. Judges run their own docket and can prioritise certain matters, on a need basis. They have been granted powers to fix dates for matters of great urgency and significance. In a similar vein, the purpose of this project is to classify and differentiate cases, through a well-developed and thought out mechanism, so that docket can balance the ongoing important and live litigations, with the cases that can be disposed of easily yet have remained in the docket. The project is premised on the recognition that pendency must be addressed not merely as a problem of volume, but as a function of how judicial time and attention are allocated across a complex and diverse docket. The CRP employs a dual-review methodology wherein a multidisciplinary team is involved. It comprises legal researchers and officers of the Registry who review and classify the pending cases after the law clerks have prepared their detailed, judge-ready briefs. Through reasoned classification these cases are segregated into broad categories: short matters, infructuous matters, dormant or non-responsive petitions (old), simple and cases warranting detailed

hearings. The briefs include case histories, key procedural and legal milestones and they depict the reasoning of case classification into one of the categories. These case lists with briefs from short, infructuous and old categories are sent to the listing and, thereafter, to the relevant judges who have the coram for the cases. The matters then reach the courtrooms where they are heard and litigated upon, on merits.

This assessment process enables the Registry to schedule matters more intelligently, allocating judicial time to cases that demand it while disposing of others expeditiously. Importantly, the initiative is iterative: the CRP monitors outcomes of classified matters once listed and uses that feedback to refine its review methods and improve the accuracy of its classifications. Under this project in the past five months, nearly 1342 main cases have been disposed of by mid-April (with projected 200+ disposal till mid-May, the figures will reach 1500 that is 15% of the total classified 10,000 cases) within the span of six months, including the time undertaken to set-up the project. This demonstrates the practical utility of internal, data-led case management and differentiation.

E. Conclusion: Purpose of the Present Initiative

What distinguishes the CRP's model is its institutional ethos. The initiative rests not on external mandates or statutory directives but on the internal self-governance of the judiciary. It reflects a jurisprudence of responsibility, one that sees docket management as intrinsic to the judicial function itself. It does not displace judicial discretion; rather, it facilitates its exercise by equipping judges with the tools and information needed to make effective scheduling and prioritisation decisions. In doing so, it aligns with broader global trends that conceptualise judicial efficiency as a dimension of access to justice, and not merely of procedural economy.

Although designed for the unique demands of the Supreme Court, the model developed by the CRP offers a scalable and adaptable framework. With suitable modifications, it could inform similar efforts across the High Courts and subordinate judiciary, particularly in jurisdictions facing severe docket congestion or uneven patterns of case disposal. Its success to date suggests that internal reform, when institutionally owned and analytically grounded, can yield significant dividends even within the structural constraints of the existing judicial system. The following chapter undertakes a detailed examination of the Supreme Court's case management practices, tracing how this evolving institutional function is operationalised across various levels.

II. A Journey through Identification of Short, Infructuous and Old Cases

This Chapter takes you systematically through the process our CRP Team employed for identification, evaluation and classification of short, infructuous and old cases. It primarily involves creation of a datasytem using technology and human power. The Supreme Court had ready processed data of cases being listed (with scanned copies of their files available for bulk download) that could be further refined and used for our purposes.

The importance of a structured internal database is that it supports strategic planning. This structured dataset is useful to feed into models for listing automation, pendency forecasting, bench-specific load balancing, and much more. Thus categorised, the location of each case within the system procedurally and administratively becomes visible. This visibility increases institutional accountability. It allows one to see where bottlenecks may exist, and what kinds of cases are accumulating disproportionately in certain categories. The goals for creating internal database can be articulated as follows:

- To create docket-level segmentation, allowing for thoughtful and case-specific listing strategies based on courtroom's docket.
- To initiate a targeted review mechanism by isolating cases that are unlisted, dormant, or inactive in these courtrooms, many of which are well-suited for early and efficient disposal.

Creating a foundational dataset can inform internal policy decisions, support the rational distribution of judicial time, and evolve into a larger system of docket forecasting and judicial performance measurement. The process we used for this can be divided into VI parts (A to F):

A. Creation of Case Lists

Unless the Court possesses a clear, comprehensive, and structured understanding of its pending workload, any attempt at streamlining judicial processes will inevitably fall short. Recognising this, the first step in the reform process begins with the systematic retrieval and categorisation of all pending matters from the Supreme Court Registry. The Supreme Court's lists of pending matters already includes key metadata such as case number, case title, connected matters, assigned case category, date of impugned order, coram details, and procedural status (*see*

Annexure I) . These lists are filtered based on the criteria described below and then the lists are forwarded to the Computer Cell, which undertakes the task of bulk-downloading the electronic case files from the Supreme Court’s digital database. The e-files are then shared with the CRP to initiate the next phase of case allotment for analytical review. Cases are divided into two broad categories:

- a) **Miscellaneous Matters**, which generally include cases at an intermediate stage after notice has been issued, but not yet fixed for final hearing. These might involve interim directions, procedural clarifications, or interlocutory reliefs. [Note: *CRP dealt with Miscellaneous matters at after notice stage and not the fresh matters*].
- b) **Regular Hearing Matters**, which are admitted cases ready to be heard at length on merits. These typically demand deeper judicial engagement and longer hearing time.

It must be noted here that the distinction between Regular and Miscellaneous categories is grounded in the doctrine of merger, which states that first the Supreme Court hears the matters as miscellaneous and then grants leave to be heard as a regular matter and renders a decision. After the decision, the judgment of the lower court merges into the Supreme Court’s order. This legal doctrine was reaffirmed in recent cases like the *State of Uttar Pradesh v. Virendra Bahadur Katheria* (2024),³⁹ which emphasised the finality of the Supreme Court's ruling in an appeal. Miscellaneous matters (After Notice) are heard on Tuesdays and Wednesdays in the Supreme Court and might be resolved through short hearings or procedural directions before leave is granted or rejected, while regular hearing matters are heard on Thursdays and typically require a more extensive engagement when they are heard.

Each case is then further examined to see whether it has a **Judicial Coram**, meaning whether it has already been placed before a Bench, or remains unlisted. The unlisted matters are likely to have remained dormant, sometimes for years, awaiting procedural movement.

Finally, a subject-matter filter is applied: each matter is categorised as either **Civil or Criminal**. This division allows for a more targeted assessment in subsequent stages and ensures that the nuances of the two broad legal subject areas are taken into account during assessment.

³⁹ *State of Uttar Pradesh v. Virendra Bahadur Katheria*, (2024) INSC 524.

On this basis, we created four sheets: After Notice Miscellaneous (No Coram); After Notice Miscellaneous (Coram); Regular (No Coram); and Regular (Coram).

This initial stage may appear procedural, but its importance is foundational. Without it, the rest of the initiative would operate in a vacuum, with no clear sense of priorities, clusters, or categories. The value of this stage lies in its ability to translate the undifferentiated mass of pending cases into an organised dataset, primed for evaluation.

B. Allocation of Cases

Once the categorised lists of pending matters are prepared and the broader docket is segmented by procedural and subject-matter filters, the next step in the case management process is allocation. At this stage, the initiative shifts from the realm of database to case-by-case analysis, a shift that requires both legal skill and human judgement.

Once the lists are received by a law clerk from the categorisation stage, the case information is filled on a Google Form. These Google Forms (see *Annexure II*) automatically feed into the MS Excel Sheets that are self generated. The law clerk is required to fill the following key metadata for each case in the Google Form:

- Diary Number
- Case Name
- Case Number
- Date of Filing
- Date of Impugned Order
- Date When Last Heard
- Nature of Impugned Order
- Findings of Lower Courts
- Gist of the Case
- Proposed Classification

From the list, cases are assigned to law clerks based on two key considerations: i) The expertise or preferred subject area of the clerks which are marked on an Excel Sheet through self-identification and by taking into account their qualifications (see *Annexure III*); ii) workload parity - with fair division and to ensure proportionate burden. The way cases are assigned directly impacts the quality of analysis in the brief, the pace of review, and the accuracy of classification. This allocation process taking into consideration their own interest and

specialisation allows for building a team that is motivated and then can continuously be trained in their specific chosen categories (see *Annexure IV*).

Organising the workflow thoughtfully ensures that each case is analysed within a reasonable timeframe, without sacrificing the care and rigour it deserves. Yet, each case requires a different time allocation for preparing a brief. A five-year-old Regular hearing matter involving constitutional interpretation cannot be analysed at the same speed as an interlocutory application. Taking a reasonable average, for the majority of the project period, timelines were set at the rate of 10 briefs a day with periodic checks on achieved targets, along with checks on the quality of gists/briefs, at the end of each week.

C. In-Depth Case Review and Form-Based Documentation

Once a case is allocated to an individual law clerk, evaluation of cases demands careful reading and a disciplined approach to summarising legal content. The law clerks go through petitions, counter-affidavits, judicial orders, and procedural histories, and extract from this often-unwieldy material a concise and accurate gist/brief that captures both the legal essence and procedural history of the matter. Each case evaluation they prepare becomes the basis on which a matter is later categorised.

The digitalised case record includes:

- The main petition or appeal, where the grounds for approaching the Supreme Court are set out alongwith listing proforma;
- Annexures, often comprising lower court judgments, tribunal orders, and supporting documentation;
- Previous Supreme Court orders, especially those relating to listing history, interim reliefs, or directions;
- The procedural chronology, noting when the case was filed, last heard, or disposed of at lower levels.

To generate briefs out of these details, we created a standardised format which ensures consistency across all matters. Each brief is required to contain the following core components, arranged in a logical sequence:

1. Procedural History: How the matter has progressed through the judicial system, from the originating court or tribunal to the present stage before the Supreme Court;
2. Factual Matrix: A short but clear statement of facts, distilled from pleadings and relevant records;
3. Findings of Lower Courts/Tribunals: A summary of what the courts below have held, including any dissents, observations, or significant factual findings along with reasonings;
4. Grounds of Appeal or Petition: Why the matter has been brought to the Supreme Court what legal errors, constitutional questions, or procedural violations are being alleged.

The format for case briefs was first drafted by the team at the CRP after several rounds of discussion and inputs from law clerks. The initial draft was then shared with officers of the Supreme Court Registry, and further refined based on the observations and suggestions received from senior Judicial Officers. The final structure was shaped with the objective of ensuring that briefs are precise, uniform, and suited to the specific requirements of different categories of cases coming before the Court .

Separate pointers were developed for each type of matter, as the nature of information necessary for effective review differs significantly across categories (see *Annexure V*). For instance, in property disputes it is important to clearly identify the type of claim whether for recovery, partition, enforcement of mortgage rights, or land acquisition and to set out the possession status, title history, and legal provisions involved, particularly under Sections 4, 6, or 17 of the Land Acquisition Act. In service matters, details regarding the nature of employment, disciplinary proceedings, and computation of arrears or retirement benefits are often central to the issue. In tax matters, the brief should specify whether the case relates to direct or indirect tax, the assessment year, the amount involved, and the relevant statutory provisions. In criminal cases, it would be important to present the facts neutrally, along with key dates such as the alleged offence, registration of FIR, details of custody, and the sections under which the accused is charged or convicted. In all cases, the latest effective Record of Proceedings from the Supreme Court must be included, to maintain continuity and assist the Court in understanding the current procedural stage

Following the aforementioned format for briefs, the law clerks enter the findings into a structured Google Form (see *Annexure II*). After they fill the Google Form for each case, the said information is automatically fetched in Excel Sheets, which functions as a digital template

for documentation and future reference. Alongside the Excel sheet, a full brief is uploaded in word format to a dedicated Google Drive folder (*See Annexure VI*). This dual-track system form for data and document for narrative ensures both structure and depth. The Word document allows for richer prose, contextual explanation, and editorial review, while the Form captures key data points in a searchable and standardised manner.

The law clerks are trained and informed on key considerations that should be noted while formulating a standard format of briefs which includes:

1. *Establishing a Common Language of Review*: The use of a standard format ensures that every case brief is intelligible not just to the person who prepared it, but also to the reviewers: Consultants, Registrars, and Judges. This consistency is critical for comparative analysis, efficient classification, and informed judicial preparation.

2. *Surfacing Patterns*: Once a critical mass of briefs is created, patterns begin to emerge. For instance, if several criminal appeals have remained unheard for over five years despite custody having ended, or if certain types of interlocutory matters are routinely becoming infructuous, these trends can be identified and discussed. Here, it is important to have periodic meetings with the law clerks to ensure there is systemic feedback on the briefs which improves the quality.

Every classification based on these briefs must be defensible. Whether a matter is marked “short,” “infructuous,” or “old” should follow from the facts and procedural history, not from assumption. Working on the quality of brief allows reviewers and eventually, judges to trace the reasoning behind each case listed before them, improving both accountability and trust in the system.

D. Classification of Matters

Once each case has been thoroughly examined and briefed by the law clerks, the initiative enters one of its most consequential stages: the classification of matters. This is done by the core CRP team which includes legal consultants, Judicial Officers and academicians.

The reviewers drawing on their experience and discussions amongst themselves place each matter into one of five core categories (see *Annexure VII*):

1. **Short:** Matters classified as “short” are those that are mature for disposal and unlikely to require more than a brief hearing. These include cases where procedural defects are evident, where the factual or legal question is narrow and settled, and where the relief sought is modest and uncontested.
2. **Old:** “Old” cases are typically those that have remained pending for an extended period often several years without significant procedural movement. Their age alone does not justify immediate disposal, but it does warrant priority listing and special attention. Within this category, it should be noted, we identified those matters that can be disposed of, and others that are tagged as connected to a larger constitutional bench judgment or carried complicated legal or factual history could only be classified as long hearing matters not ready for immediate disposal. Some of these cases have been eclipsed by time, while others still raise relevant legal issues that have not been addressed because of delays.
3. **Infructuous:** These are matters that have been rendered moot due to external developments, such as settlement between parties, legislative amendments, lapsing of relief timelines, or supervening judicial orders. An infructuous matter no longer presents a live controversy and may not require any substantive hearing at all beyond a formal order of disposal.
4. **Simple:** “Simple” cases are legally or factually straightforward, but not so elementary as to be disposed of without argument. These are matters that may require a hearing or two but do not present contested questions of constitutional interpretation, statutory construction, or evidentiary complexity. Identifying such cases with similar questions of law can also be useful for focused listing, often leading to better disposals.
5. **Requires Detailed Hearing:** Cases in this category involve substantial questions of law or fact, constitutional issues, precedent-setting implications, or extensive lower court records. These matters require full argumentation, careful judicial scrutiny, and in many cases, multi-day hearings. By clearly marking such cases, it can be ensured that they are not lost amid administrative listings but are placed strategically before appropriate benches.

The classification stage is the most pivotal aspect of this initiative as it determines whether a matter progresses to a court hearing. This stage is crucial because it involves a thorough examination of the case's merits, ensuring that suitable matters, specifically short, infructuous and old matters, are also presented in adequate proportion before the court. For instance, if a

case before the Supreme Court is for enhancement of compensation under Workmen Compensation Act, 1923 and there are concurrent findings by all the lower courts. If the other facts surrounding the accident are undisputed, the matter can be resolved in a single hearing, as there are no complex issues or disputes to be addressed. This type of case can be categorised as 'short', indicating that it can be efficiently disposed of without requiring extensive proceedings. Consider an Election Petition before the Supreme Court but the term of office is already over. Similarly, cases where the challenge is against an interim order of a lower Court and the main matter has already been disposed of by the lower Court, in such situations, these cases can be categorised as 'infructuous' as they have become obsolete due to various external developments. Such matters can be taken up and disposed of immediately as it will ensure streamlining of the judicial process, conserve resources and prioritise more pressing matters. Criminal cases involving elderly accused individuals, such as those where the impugned order is over 10 years old and the accused is now around 75-80 years old, may be categorised as 'old' and considered for priority listing. This approach can help expedite the resolution of cases involving aging defendants.

The classification process serves as a gatekeeper, filtering out and segregating cases that may not have the potential to be disposed of in one hearing, thereby optimising the court's time and resources. If one is able to continuously carry out this exercise, we strongly suggest simple and long hearing matters should eventually be listed in small batches periodically too starting from the oldest pending cases. In order to ensure success of this initiative and particularly of this vital filter stage, CRP developed clear classification criteria as explained above. It was ensured that the team involved in the classification process had regular meetings to assess and refine the process as well as identify areas for improvement and optimise its effectiveness. By implementing these measures, we aimed to create a robust and efficient classification process that would streamline the court's workflow and improve overall productivity.

In our traditional judicial systems, listing decisions are often driven by chronology, court capacity, or simple administrative turnover. Our present model introduces a more deliberate and principled approach. Classification becomes not a perfunctory label but a carefully reasoned evaluation grounded in legal content and procedural status. The classification stage is the intellectual fulcrum of the case management initiative. Every downstream action – whether listing, briefing for judges, or feedback tracking – depends on this act of categorisation being accurate, defensible, and systemically useful.

The process of classifying cases according to their merits is applied across all types of matters for Regular and After Notice Miscellaneous (No Coram) matters. However, given the sheer volume of filings in one category, that is under Miscellaneous Coram (After Notice), a focused approach was adopted. Only certain categories were taken up under After Notice Miscellaneous Coram due to paucity of time such as Election Petitions, Accident Claim Matters, Quashing Matters, Petitions for Appointment of Arbitrator under Section 11 of the Arbitration and Conciliation Act, 1996, Special Leave Petitions (SLP) challenging Arbitration Matters, Contempt Petitions, Matters Pertaining to Consumer Protection, Admission Matters, Workmen Compensation Matters, PILs and other Criminal Matters. These were selected based on our learnings from the After Notice Miscellaneous No Coram category. If time permits, the other categories would and should be scrutinised based on merits. Here it is pertinent to mention that we largely find that there are benefits of going into the merit of each case, which may or may not be combined with selection of cases on the basis of subject categories (if there is time consideration and/or lack of manpower to carry detailed exercise across all categories then categories may be selected). Following are the benefits we found in going into classification based on merit of each case:

1. Matching Judicial Time to Case Complexity

In any public institution, resources are finite. Judicial time, arguably the most scarce and valuable resource in the justice system, must be allocated with care. Every case deserves a proper hearing but, at the same time, not every case requires exactly the same amount of time for resolution. Classification ensures that complex cases are not elbowed out by simpler ones, and that straightforward matters are not delayed by procedural congestion.

2. Enabling Targeted and Thematic Listing

Through proper classification, the Registry can organise cause lists not just by date or subject, but by judicial effort required to adjudicate them. The classification thus supports dynamic listing strategies that are both efficient and legally appropriate.

3. Reducing Redundancy and Procedural Waste

Many cases remain pending not because they are legally significant, but because no one has looked at them closely enough to see that they no longer need adjudication. Proper

classification helps identify such procedural deadweight, allowing for surgical pruning of the docket without compromising on the due process.

4. Bringing Transparency and Predictability to Judicial Scheduling

When matters are classified and listed according to rational, disclosed criteria, the entire process becomes more transparent for judges, for litigants, and for the Bar. Over time, this transparency can generate institutional trust and reduce the sense of arbitrariness that can surround listing decisions of expedited hearing.

Thus, classification of cases into the five given categories- short, infructuous, old, simple and detailed can represent a quiet but profound shift in how the Court relates to its docket. Rather than reacting to volume, the Court can take a planning-oriented approach. Classification is where legal interpretation meets institutional foresight. It is where a backlog becomes a blueprint. By moving beyond reactive listing to thoughtful docket design, this initiative reaffirms a simple but powerful idea: that judicial time is a public good, and must be managed as such. Classification is not the end of the process, but it is the moment where order begins to emerge from complexity.

E. Tailor-Made Briefs for Judges

The moment of judicial consideration must be supported by prior preparation that respects both the complexity of the case and the finite nature of judicial time. In this context, the preparation of tailor-made briefs for the Judges becomes one of the most critical value-additions in the entire initiative. Having already passed through categorisation, allocation, detailed review, and classification, selected cases specifically those flagged as short, old, or infructuous are now curated into judicial briefs. These briefs are compact, legally rigorous, and institutionally verified dossiers designed to equip judges with precisely the information needed to make timely and informed decisions.

As discussed earlier, the process of preparing briefs begins with the work of the law clerks, who, drawing on their prior in-depth review, compile a structured and articulate brief for each case. Each case brief typically contains the following elements (See **Annexure V**):

1. Procedural History: A concise but comprehensive timeline of the case's journey through the judicial system. This part clearly specifies the nature of the petition filed before the

Supreme Court (e.g., Special Leave Petition, Civil Appeal, Writ Petition, etc.) and includes a brief chronological history of the case, identifying the forums before which the matter was previously adjudicated, along with relevant dates.

2. **Factual Matrix:** A distilled version of the key facts giving rise to the litigation, presented with clarity and neutrality.
3. **Findings of Lower Courts or Tribunals:** A summary of the legal reasoning and outcomes at the earlier stages of adjudication, highlighting any divergence of views or areas of controversy.
4. **Legal Issues Raised:** An articulation of the core questions of law or procedure placed before the Supreme Court, including the grounds of appeal or review.
5. **Reason for Classification:** A reasoned explanation as to why the matter has been classified as *short, infructuous or old*. This may include indicators such as the number of years the matter has remained pending, the duration of custody in criminal cases, whether parties have lost interest, or whether reliefs sought have been overtaken by events.
6. **Suggested Course of Action (if applicable):** In some cases, a brief may conclude with a possible potential procedural disposal (e.g., "May be dismissed as infructuous in light of settlement" or "may be listed urgently due to prolonged custody").

After the case brief is prepared and uploaded by the assigned law clerks, it is subjected to a comprehensive review process by the consultants working with the CRP. These consultants meticulously scrutinise each brief to ensure factual accuracy, internal consistency, and proper classification of the matter in accordance with the nature of the legal issues involved. The review also involves a close examination of the brief's structure, language, grammar, and the articulation of both factual and legal content to ensure clarity, precision, and coherence. Where necessary, consultants undertake a cross-check to identify whether similar or connected matters are pending before other benches of the Court. Following the review, each brief is categorised using a colour-coded system to aid quick visual identification. Divergent findings across courts or forums are marked in blue, concurrent findings are indicated in green, while matters that are infructuous or capable of being disposed of with minimal judicial time are flagged in yellow to be listed at the top. This additional level of assessment maintains uniformity and accuracy in the preparation of case briefs and also facilitates more effective judicial decision-making by providing the Bench with concise, reliable, and well-structured summaries. It further assists in

the rational prioritisation of matters for listing, ensuring that cases are taken up in a manner consistent with their urgency and complexity (see *Annexure VIII*).

At this point, the legal and analytical labour undertaken by the law clerks, refined and classified by Consultants, is formally reviewed by the Deputy Registrar and Assistant Registrar, the senior administrative officers of CRP. The officer's review functions as both a procedural audit and an integrative mechanism, ensuring that research-led classification and the briefs are up to the mark. The officer's review is the final layer of scrutiny on:

1. Verification of Procedural Information: Confirming that the details of the case are factually and legally correctly recorded and mapped in the briefs.
2. Review of Classification Logic: Cross-checking that the proposed classification list (short, infructuous and old etc.) prepared for the Listing Section is supported by factual indicators and procedural posture.
3. Assessment of Completeness: Ensuring that the case is correctly assessed and the brief reflects the complete history of the matter and the journey of the case till it reached the Supreme Court.

In a system where thousands of cases pass through multiple hands, the risk of inadvertent error, inconsistency, or omission is always present. The Registry-level review serves as a safeguard, a final checkpoint that protects both the credibility of the classification and the integrity of the listing process. The objectives of this stage may be articulated as follows:

- To uphold procedural integrity by ensuring that every matter proposed for listing has been thoroughly vetted and correctly classified.
- To serve as a formal point of accountability, providing administrative oversight over the research process and creating an institutional audit trail.
- To act as a conduit between research and listing, ensuring that legal classification translates into operational scheduling within the Supreme Court's existing ecosystem.

This collaborative review mechanism ensures that no case moves forward based solely on the judgement of a single individual. Instead, each case brief emerges from a process that blends individual diligence with a shared institutional perspective. By introducing multiple layers of scrutiny, the system creates internal checks that significantly reduces the possibility of oversight, thereby strengthening the credibility and accuracy of case classification.

Through this process, listing decisions are made with a clear understanding of the case's legal context, procedural history, and any element of urgency. The briefs are structured to present the material in a logically sequenced, factually verified, and legally sound manner. This enables the highlighting of core issues in the matter, and helps reduce the time a judge may need to familiarise themselves with the file without in any way diminishing the seriousness with which each case is approached and read by the judges. Important data points such as time spent in custody, the date of initial cause of action, date of filing, or advanced age of an accused in long-pending matters are flagged for judicial notice. As a result, the Court may be better positioned to respond to matters with appropriate speed and decisiveness.

From the feedback received, many judges found these briefs useful. Offices of some of the judges further formatted the briefs, as per their own requirements, with the help of the law clerks at the judicial residence. As the judges read the original files, these briefs primarily served to indicate basic key information of the case and justification for the said classification on the basis of which it is listed. Over time, this repository of carefully processed data and case briefs may serve multiple institutional purposes beyond immediate listing: it could evolve into a valuable resource for docket pattern analysis, judicial training, and the systematic tracking of legal developments.

Only after this rigorous, multi-level review is a matter sent to the appropriate Listing Section, from where it enters the formal cause list. This stage serves as the final institutional checkpoint before a matter is placed before the Bench for judicial consideration.

F. Listing and Paper Book Coordination

Once the identification and internal review of cases classified as, short, infructuous and old along with their corresponding briefs has been completed within the Centre for Research and Planning (CRP), the briefs are finalised for transmission to the Listing Section. The Listing Section then evaluates how each case may be accommodated within the existing judicial roster, ensuring alignment with the Court's scheduling norms and the subject-matter allocations of various benches.

In practice, a significant proportion of the top-listed cases on hearing days originated from this process. On Miscellaneous days (After Notice), typically Tuesdays and Wednesdays, the first ten matters on the board are those assessed and forwarded as short, infructuous or old.

Likewise, on Regular hearing days, generally Thursdays, approximately, on average, six to twelve matters listed (discounting special benches or fixed date matters) have similarly undergone prior scrutiny and classification as short, infructuous and old. If the time and scheduling permits, one should list simple and long hearing matters too in a phased and planned manner to ensure their eventual hearing and disposal. This could not be done within the short span we had for the project.

Following listing, and under the directions of the Hon'ble Chief Justice of India, the approved briefs are dispatched to the residences of the Hon'ble Judge(s) prior to the scheduled hearing. This step, too, follows a structured and multi-tiered procedure. Once the cause list is finalised, it is shared by the Listing Section with CRP. The CRP team then prepares court-wise briefs, which are printed in three copies. These are handed over to the Paper Book Section, which coordinates the delivery of the briefs along with the case files to the respective residences of the Hon'ble Judges.

This stage of the case management framework is not limited to operational scheduling alone. It represents a shift in the judicial workflow introducing intentionality, anticipation, and institutional coherence into the process of case preparation. Stage V of the initiative exemplifies how systemic reform can take root in the day-to-day functioning of the Court: ensuring that each case reaching the Bench has been deliberately prioritised, meticulously reviewed, and adequately prepared. This approach enhances both the efficiency and the thoughtfulness with which judicial time is allocated, reinforcing the commitment to structured and timely adjudication.

G. Monitoring of Listed Matters and Feedback Integration

With cases now listed before the benches and many disposed of as short, infructuous or old, we monitored for outcomes and fed insights back into the system. This stage ensures that the process does not end at the courtroom door. Instead, it closes the reform loop by asking critical questions: *Was the classification accurate? Was the matter indeed ready for disposal? Did judicial time yield proportionate outcomes?* At its core, this stage is based on the basic insight that no system can evolve unless it learns from its results. Through close observation, systematic data capture, and honest analysis, CRP ensures that case management remains not a one-time intervention but an adaptive, evidence-based system. Dedicated CRP staff tracks

each listed matter once it reaches the hearing stage. This involves the meticulous documentation of:

- Judicial observations made during hearings, especially if the judge makes remarks about procedural delay, classification accuracy, or necessity of hearing;
- Duration of hearings, to evaluate whether cases marked as “short” were disposed of swiftly or required more time than anticipated;
- Final outcome, including whether the matter was disposed of, adjourned, tagged with another matter, or dismissed as infructuous.

Wherever possible, CRP teams coordinate with Court Masters and registry officers to record these outcomes with accuracy and neutrality. Every data point contributes to a more refined understanding of how docket classifications interact with real-world judicial behaviour.

After enough data is collected over a series of listing cycles, the CRP analyses trends such as:

- Accuracy of initial classification (e.g., how many “short” matters were disposed of within one hearing);
- Common reasons for adjournment (e.g., lack of readiness, incomplete filings, or reclassification mid-hearing);
- Category-specific challenges (e.g., whether “old” matters more often require further clarification than anticipated);
- Judicial receptivity to the briefs and whether certain types of matters would benefit from deeper pre-listing engagement.

While the earlier stages of the case management initiative are concerned with control over timeframes, categorisation, and procedural flow this stage acknowledges the inherent limitations of any classification system and recognises that even the most meticulously prepared brief cannot always anticipate the dynamic nature of courtroom proceedings. Surprises may arise during oral arguments; new facts may surface, legal nuances may shift, and a case that seemed straightforward on paper may evolve in unexpected directions. To this extent, there should be provision and accounting for some changes in scope and nature of hearing of an individual case despite the given classification. After all, the classification merely ensures one hearing based on our understanding from the scanned paper book. However, the judges peruse the detailed and original case records and evidence to evaluate these cases using their decades of expertise on the subject. The advocates often bring to light material evidence

and arguments that require further consideration and time of the court. These and any procedural factor dictate the actual course of the case. Therefore, perfection cannot be aimed at, as the cases will have their own run based on several human factors.

The objective here is not to achieve flawless prediction, but to enable responsiveness. For example, judicial assessment of the evidentiary record may lead to outcomes that diverge from prior assumptions such as an acquittal in a matter previously upheld through concurrent findings, or a judgment on merits in cases that, though long pending, can be ultimately admitted due to complex evidentiary considerations. What the listing system facilitates is a meaningful opportunity for such cases to be heard on merit. Once listed, they are treated like any other matter in the court: counsel are given equal opportunity to present their arguments, and the judges examine the briefs and the case files through the lens of their own legal reasoning and judicial experience.

Importantly, the process does not end with listing. Without a feedback loop, classification risks becoming a purely academic exercise. The monitoring of outcomes allows the CRP to assess whether the underlying assumptions that guided the categorisation of the case were largely validated in actual proceedings. Where discrepancies emerge between anticipated and actual outcomes, the classification model can be reviewed and refined. In this way, the system remains dynamic and capable of learning from experience, adapting to judicial realities, and improving over time.

H. Conclusion: From Reform as Event to Reform as Culture

The case management initiative undertaken by the CRP at the Supreme Court of India represents a subtle yet essential reform in the functioning of judicial administration. It marks a departure from the conventional practice of scheduling and volume-centric adjudication, replacing it with a more deliberate, forward-looking, and research-supported model of docket handling.

Rather than addressing pendency in isolation, the initiative engages with the broader institutional question of how judicial time is valued, how priorities are determined, and how the constitutional obligation to deliver timely justice is managed. Through a system of case classification based on procedural and legal maturity, the preparation of structured case briefs for judicial use, and the incorporation of feedback mechanisms to reassess and adjust

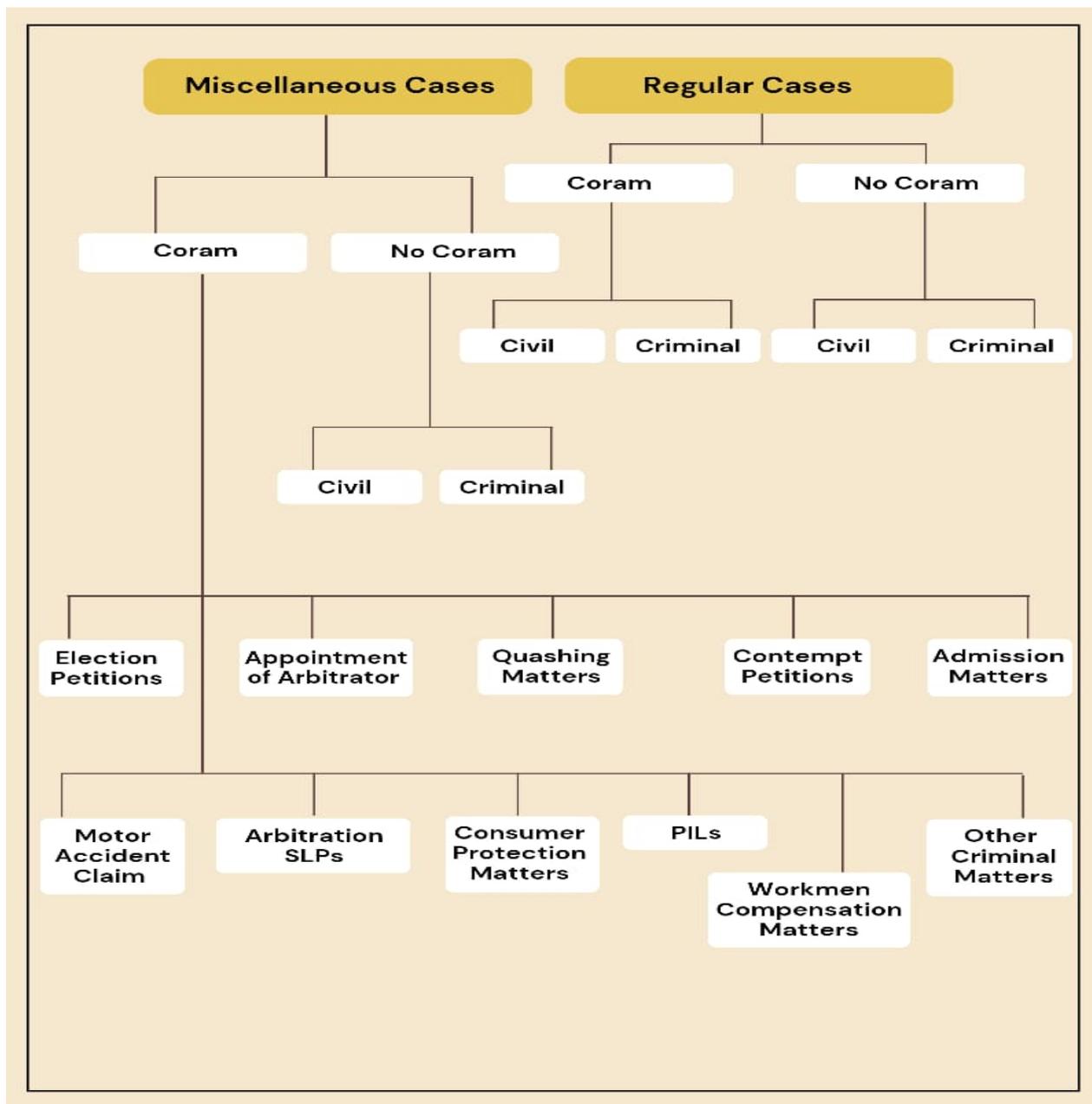
classifications, the initiative aims to introduce a greater degree of order and intention into the listing process.

Its strength lies not in the adoption of external technologies or reliance on other agencies, but in its use of internal knowledge systems. It draws on the expertise of trained legal researchers, fosters coordination between the Registry and judicial branches, and builds institutional capacity from within. In this way, it maintains both the integrity and autonomy of the judicial process.

The framework shaped through practical experience, guided by data, and strengthened through collaboration offers a model that is adaptable and scalable. Its principles can be tailored to suit the requirements of High Courts, tribunals, and subordinate courts, each applying the methodology in accordance with their own institutional realities. Yet the shared objective remains consistent: ensuring that delays in justice are not accepted as inevitable, but are treated as indicators of structural stress requiring thoughtful intervention.

I. Executive Summary:

1. The first step towards unclogging of dockets commenced with aggregating case files. The Supreme Court's existing internal database of cases with scanned files set the momentum for systematic retrieval and categorisation of all pending matters. The electronic case files were retrieved from the digital database with the Excel sheets, kick-starting our project. This huge database was then strategically divided by CRP on the basis of:



2. Miscellaneous cases (After Notice) generally include cases at an intermediate stage after notice has been issued, but not yet fixed for final hearing. Regular hearing cases are the admitted cases which are ready to be heard at length on merits. They may demand deeper judicial engagement and longer hearing time.
3. The segregated cases in electronic format are then allocated to the law clerks on the basis of their preferential subject matter and workload parity. Then starts the case-by-case analysis. The law clerks go through the entire case file, extract key information and prepare a concise brief/gist of its contents focusing on the brief facts, findings and

reasonings of each of the lower courts, legal issues involved and the grounds for approaching the Supreme Court.

4. Once the briefs are ready and uploaded on an Excel sheet by the law clerks, the legal consultants, Assistant Registrar and Deputy Registrar of the CRP classify each of the cases as ‘short’ (mature cases for brief hearings), ‘infructuous’ (obsolete cases due to external developments), ‘old’ (pending for an extended period), ‘simple’ (straightforward cases but requiring at least one or two hearings) or ‘requires detailed hearing’ (complex cases needing extensive arguments). The classification stage is the cornerstone of our initiative, determining which cases proceed to a court hearing.
5. Based on the same information as the Excel sheet, the law clerks prepare briefs in editable Word format, which are then meticulously reviewed by the consultants to ensure factual accuracy, internal consistency, and proper classification of the matter in accordance with the nature of the legal issues involved. Thereafter, the final formal review of each of the briefs is done by the Assistant Registrar and Deputy Registrar of CRP. This serves as the final stage of scrutiny before a matter is ultimately listed before a bench.
6. The list of the final matters classified and reviewed by the CRP are then transmitted to the Listing Section of the Supreme Court which lists these matters before every bench of the Supreme Court depending on the bench roster and the existing cause lists. On Miscellaneous (After Notice) days, typically Tuesdays and Wednesdays, the first ten matters on the board of every bench have been those assessed and forwarded by the CRP as short, infructuous and old. Likewise, on regular hearing days, generally Thursdays, listed matters, ranging between six to twelve on average, have similarly undergone detailed assessments by the CRP Team.
7. Once the cause list is finalised, it is shared by the Listing Section with the CRP. The CRP team then arranges the briefs court-wise and item-wise, prints three copies and hands them over to the Paper Book Section, which coordinates the delivery of the briefs along with the case files to the respective residences of the judges prior to the scheduled hearing. With this the cases identified and thoroughly assessed by the CRP are provided an opportunity to be heard on merit.
8. The last stage focuses on monitoring, observation, and analysis with the CRP meticulously tracking the progress and outcomes of each listed matter post-hearing. This exercise is significant as it provides valuable insights into the accuracy of our case

classification, common reasons for adjournments, category-specific challenges, disparity between anticipated and actual outcomes and the underlying factors.

III. Project Findings and Results

A. Introduction

From November 2024 to 15th April 2025, CRP focused on processing matters across four categories: Miscellaneous matters (After Notice) with No Coram, Regular matters with No Coram, Miscellaneous matters (After Notice) with Coram and Regular matters with Coram. As part of this exercise, CRP processed more than 10,000 matters to identify short, infructuous and old cases. By comprehensively analysing the matters on the basis of the parameters discussed above, CRP was able to successfully classify 3,374 main matters (+901 connected matters) as short, infructuous or old from the first three categories. Of these matters, 2,401 main (+850 connected matters) have already been listed of which 1,342 main matters (with 189 connected matters) have been disposed of within one or two hearings across the three categories (minus regular matters with coram) so far. The listing for CRP identified matters (i.e short, infructuous and old cases) will be still ongoing in the last month of the project (mid-April to mid-May) and, based on our monthly disposal rate, the figures mentioned are to increase at least by 10-15% reaching the goal of achieving judicial resolutions and disposals in over 1500 main matters from the select categories.

CRP's consistent efforts were sustained only due to an increase in the total number of Miscellaneous days by the Court, with Regular hearings being paused in November 2024, until January 2025, after which two days in a week were dedicated as the Miscellaneous days.⁴⁰ By increasing the number of Miscellaneous days, the Court was able to hear Miscellaneous (After Notice) matters which form a considerable part of the Court's docket. In consonance with this decision, CRP began its analysis of the Miscellaneous (After Notice) No Coram matters where 2,514 matters were classified resulting in 1,064 short, infructuous and old matters (+627 connected matters) being listed before the Court resulting in 697 main (with 128 connected) disposals. Overall, this resulted in a 65.7% disposal rate of CRP matters in this category. Due to an increase in the hearing of miscellaneous matters the Supreme Court's overall disposal rate

⁴⁰ January 2025: Highest disposal so far in 2024-25 term of SC" Supreme Court Observer, Feb. 14, 2025, available at: <https://www.scobserver.in/journal/january-2025-highest-disposal-so-far-in-2024-25-term-of-sc/> (last visited on Apr. 14, 2025).

increased by 40% from December 2024 (4,448 cases disposed) to January 2025 (6,235 cases disposed)⁴¹ which included CRP identified matters.

As the Regular hearing resumed in January, CRP was able to identify and list regular no coram criminal matters that were pending in the Supreme Court docket and belonged to the short, infructuous and old category. Through this exercise, CRP identified 1485 main regular matters (748 criminal matters and 737 civil matters). After the identification of 748 criminal cases, 674 matters (with 330 connected matters) could be listed before the Court of which 358 (+62 connected matters) could find judicial resolution and be disposed of. This is a disposal rate of 53%. By virtue of each bench approximately clearing at least two to five cases minimum per Thursday Regular hearing, the criminal disposal rate increased (recorded at 111.08% at present on April 18, 2025). Considering that the regular cases typically demand lengthy hearings, and disposals are rightfully not quite speedy to accord for proper and detailed hearing of these matters, these cases helped improve the clearance rate on regular days by ensuring a consistent upward trend in disposals.

The listing for Regular Civil matters began in March, nearly eight weeks after Regular Criminal matters; these matters have also contributed to the disposal rate in regular matters. 236 main CRP matters (+388 connected) have been listed in the Court of which 96 main matters (+65 connected) have been disposed of. In our observation, within short, infructuous and old CRP identified matters, civil regular cases tend to have longer hearings and may require appraisal of detailed and bulky evidence. Yet, importantly, of the 96 disposed matters, 86% were disposed within one hearing.

The second last case category where CRP is presently assisting is the Miscellaneous matters with Coram. In this category, 2824 matters were processed, of which 815 matters were identified to be sent for listing. Of these 427 main matters (+14 connected matters) have been listed so far under this category, and 191 disposals have been recorded in the first hearing itself. The classification and listing are ongoing and will conclude by the last week of April. Unlike other categories, miscellaneous coram matters are live and include fresh actions under challenge, therefore, even in the simplest case, due consideration has to be given by the judges.

⁴¹ January 2025: Highest disposal so far in 2024-25 term of SC” Supreme Court Observer, Feb. 14, 2025, available at: <https://www.scobserver.in/journal/january-2025-highest-disposal-so-far-in-2024-25-term-of-sc/> (last visited on Apr. 14, 2025).

CRP is also currently processing Regular Coram matters. However, these are yet to be classified and sent for listing.

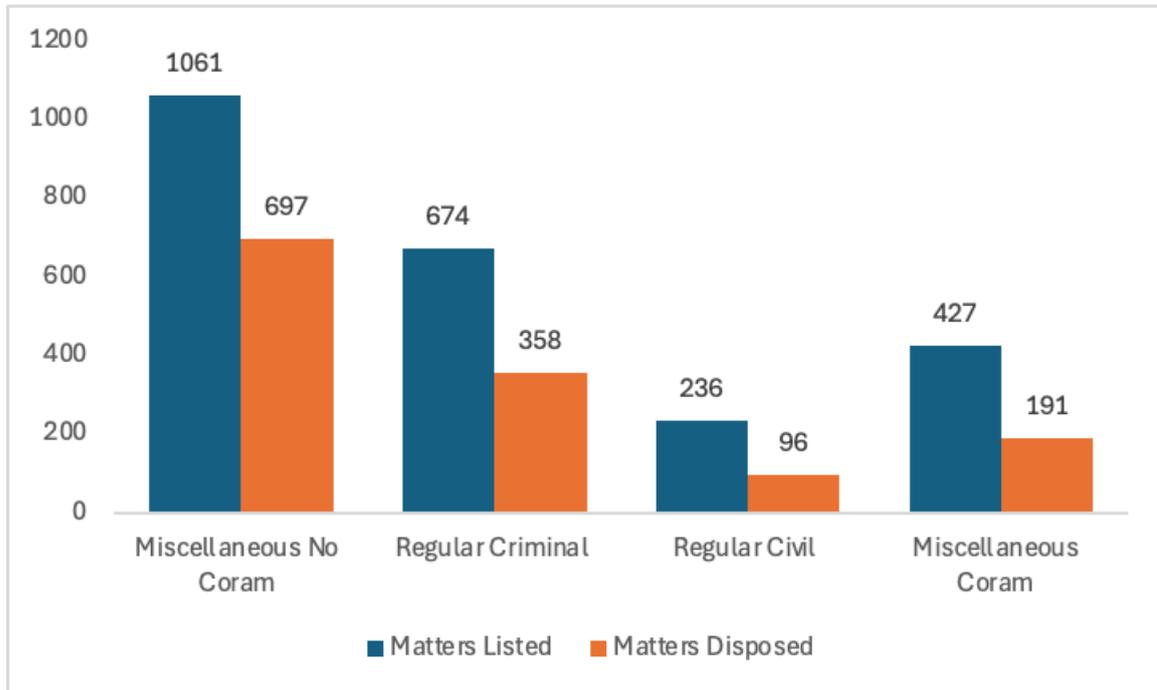
The overview above provides a snapshot of CRP's intervention across each category and its implications. Category-wise details of the matters are given below. It must be noted here under Table I which presents Category-Wise Overview that the 'Total Matters Processed' column does not refer to the total number of cases in the system under that category, but rather the select matters where scanned paper book was available, at that time, and the clerks at the CRP could evaluate. Certain matters had to be excluded due to various reasons such as preexisting disposals, leave already being granted in miscellaneous matters or subsequent update in case files leading to unavailability of scanned paper books during reviews. Similarly, Matters that remain unlisted are typically due to procedural issues, such as it is pending in the Registrar's Court, the docket of appropriate bench is already full, complete records and their scanned copies are unavailable or a new advocate needs to be appointed etc.

Table 1: Category-Wise Overview

	Total Matters Processed	Short, Infructuous or Old Matters Identified	Matters Listed	Disposed Matters
Miscellaneous No Coram After Notice Matters	2514	1074	1074	697
Regular Matters (Criminal)	1345	748	674	358
Regular Matters (Civil)	2388	737	236	96
Miscellaneous Coram After Notice Matters	2824	815	427	191
Total Matters	9,071 (+2,083 Regular Coram ready for classification)	3,374	2,401	1,342

An overview of the disposal matters for each of the categories is as follows:

Graph 2: Category-Wise Disposal

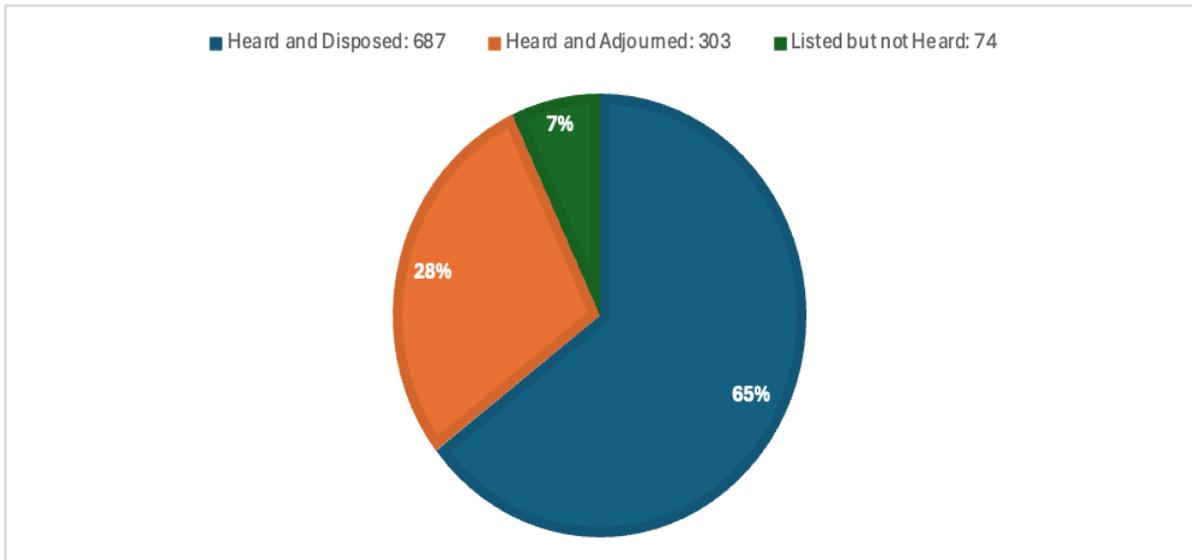


Note: This graph accounts for the main matters only

B. Miscellaneous After Notice No Coram

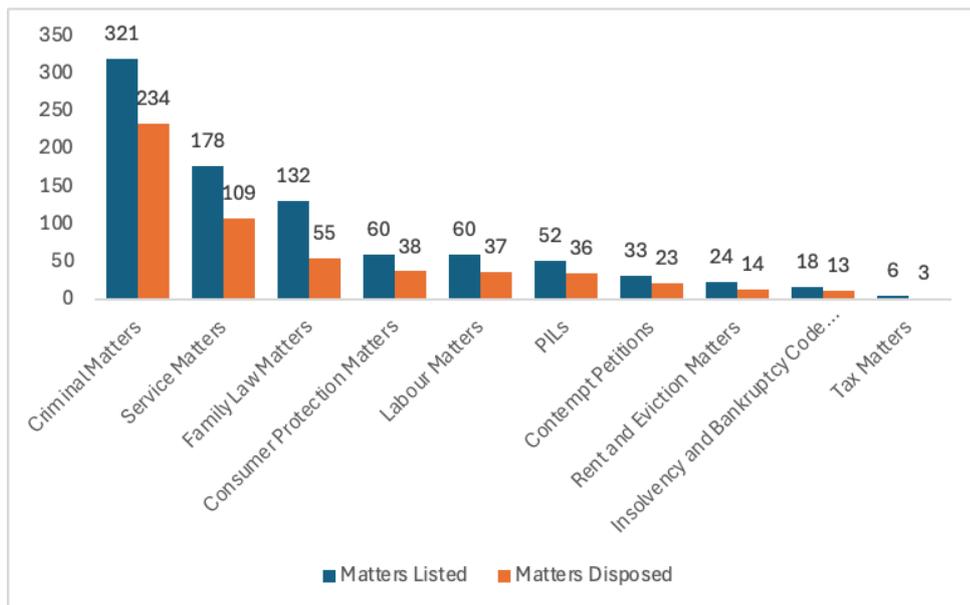
As mentioned above, 697 main matters (+128 connected matters) have found judicial resolution and been disposed of. This has led to an overall disposal rate of 65.7%. The pi chart below provides an overview of these matters.

Graph 3: Miscellaneous After Notice No Coram Listed CRP Matters Overview



Though the cases were assessed across the board, within the final classified matters, a total of ten sub-categories can be identified. The categories, along with the total number of disposed matters are mentioned in the graph below:

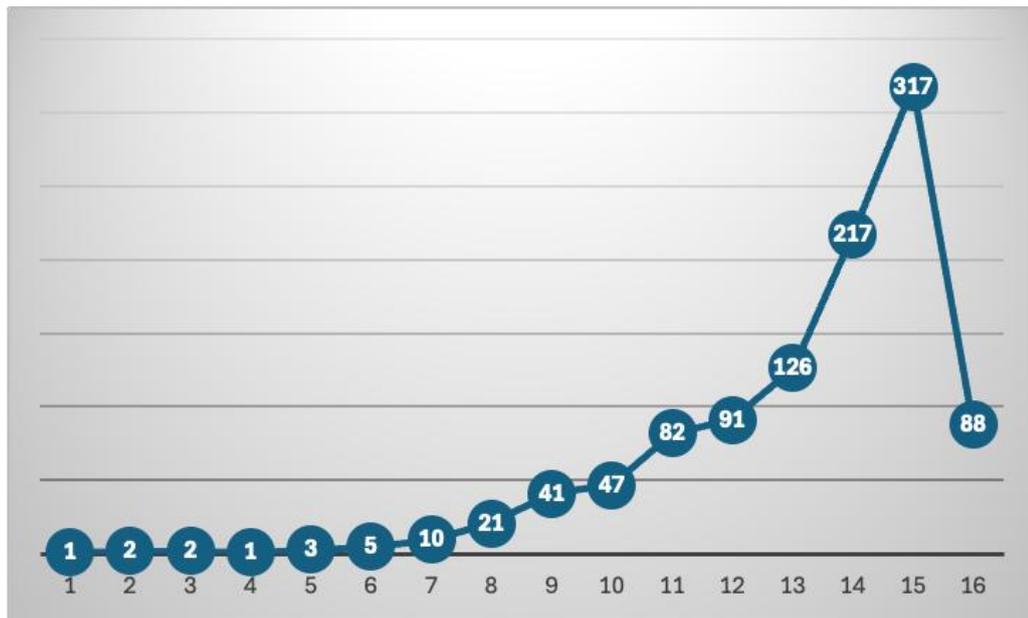
Graph 4: Sub-Category Wise Listing and Disposal in Miscellaneous No Coram After Notice CRP Matters



Note: This graph accounts only for the main matters

As illustrated in the graph, these ten categories represent the most popular matters, as well as matters where minimal cases were identified. Collectively, the pendency of these matters averaged 7.2 years till they were listed, with the oldest case being filed in 2009,⁴² and the most recent cases filed in 2024. The year-wise chart for the matters is as follows:

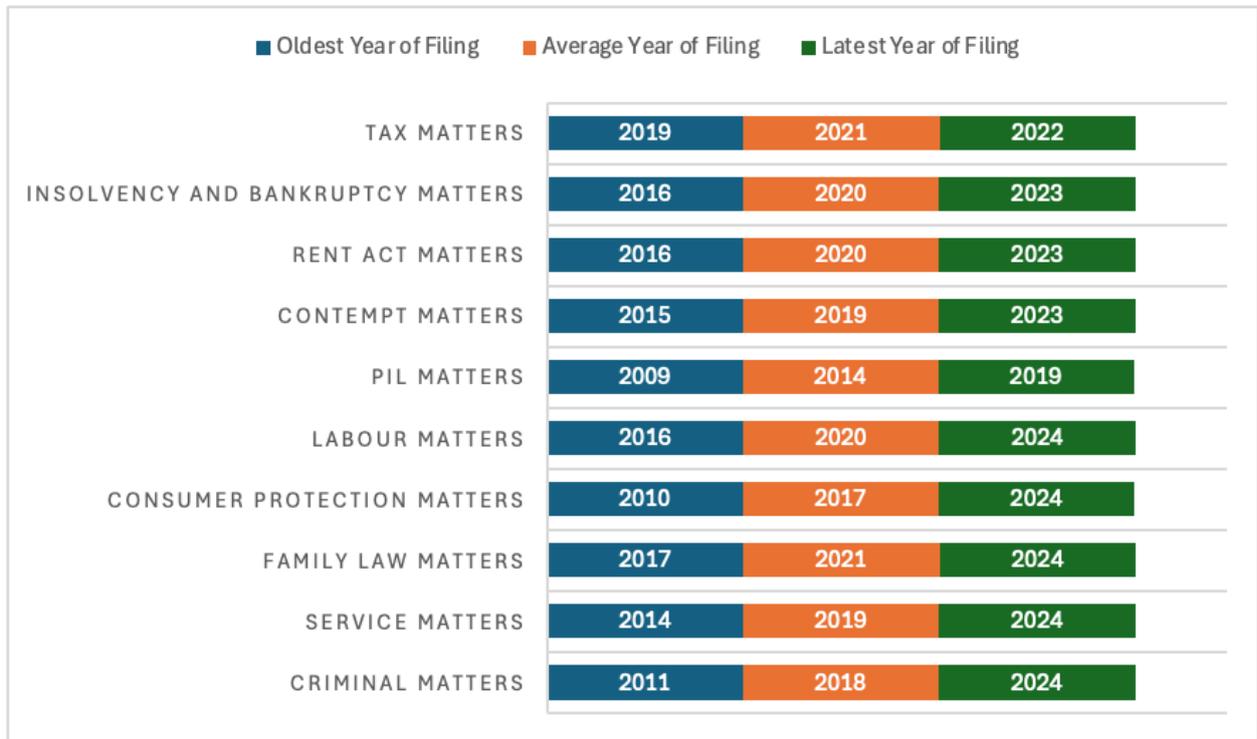
Graph 5: Year-Wise Filing of Miscellaneous No Coram After Notice Listed CRP Matters



A subcategory-wise breakdown of the mean pendency for each category is highlighted in the following graph:

⁴² The State of Uttar Pradesh v Bijay Kumar Singh Parma (SLP(C) No. 019996 - 019998 / 2009).

Graph 6: Mean Pendency for Miscellaneous No Coram After Notice Listed CRP Matters



Criminal Matters

With 234 main matters (+17 connected matters) disposed of 321 (+55 connected matters), criminal matters account for the highest proportion of Miscellaneous matters. The most commonly used provisions in these identified criminal matters happened to be Conspiracy under Section 120B IPC (52 matters), Criminal Breach of Trust under Section 406 IPC (22 matters), Cheating under Section 420 Indian Penal Code, 1860 (IPC) (21 matters). Our observation is that these cases largely arose from the disputes related to contractual defaults and financial frauds.⁴³ A significant subset of these, that is 106 cases or one-third, involved writ petitions seeking the quashing of ongoing criminal proceedings. Additionally, 49 cases were applications for cancellation of bail. These cases suggest that the Supreme Court is often

⁴³ Statutory provisions like the Prevention of Corruption Act, 1988 and the Dowry Prohibition Act, 1961 were invoked as well.

approached under the writ jurisdiction to seek intervention in the ongoing litigations at the lower courts on the grounds of procedural irregularities.

Of the 234 disposed cases, 162 were disposed of with one hearing (51%). 21 cases could not be disposed of in first hearing due to procedural reasons (8.97%), that includes missing Trial Court documents, filing of counter affidavits, and incomplete pleadings. The largest subset of disposal (84 matters) were those where the Court agreed with the lower court's reasoning while in 12 the parties withdrew the cases. 25 cases had either become infructuous (22 matters) or abated with the death of one of the accused (3 matters) and in two matters, there was non-appearance of parties. Nine cases, relating to financial and land disputes, were referred to mediation for resolution. These criminal matters had civil underpinnings. In the remaining matters, a specific order was passed granting or rejecting the relief sought. Leave was granted in nine cases, with no specific trend emerging.⁴⁴

Service Matters

Service matters formed the second largest category of CRP Miscellaneous matters with 178 matters (+79 connected matters) of which there were 109 disposals (+14 connected matters). These matters primarily comprised challenges to appointments (40 matters), retirement benefits (30 matters), pay (31 matters), regularisation of service (22 matters), recruitment processes (17 matters), termination or dismissal (18 matters) and compassionate appointments (10 matters). Of the disposed matters, 50 service-related cases involved simpler legal questions and were disposed of in the first hearing. This includes:

- Cases related to entitlement or recalculation of pension, gratuity, or other retirement benefits (16 matters);
- Challenges to appointments or recruitment, often citing arbitrariness or failure to meet medical fitness standards (7 matters);
- Disciplinary proceedings (6 matters);
- Reinstatement following contractual terminations (4 matters);
- Matters involving compassionate appointments and promotions (4 matters)

⁴⁴ Of the pending matters, 23 were delayed due to procedural reasons such as lower court records not being available (12 matters), nonappearance of parties (4 matters), filing of additional documents (5 matters) and delay in legal representative being included in the matter post the appellant's passing (1 matter).

As per our observation, regularisation cases (7 matters) and demand for higher pay scales or pension scheme transitions (5 matters) often required more than one hearing. Additionally, leave was granted in 15 matters.⁴⁵ One matter was adjourned to be tagged with a connected matter since it challenged the Government's Order dated 24.8.2018, pertaining to qualifying the Teacher Eligibility Test (TET).⁴⁶ Other reasons for non-disposal include procedural delays such as failure to file rejoinder or pleadings (7 matters) and nonappearance of counsel (1 matter).

Family Law Matters

Family law cases formed the third most popular category among the matters shortlisted by CRP, with a total of 132 cases (+5 connected matters). These matters include disputes related to divorce (82 matters) and restitution of conjugal rights (3 matters), child custody (10 matters), adoption, guardianship and maintenance (15 matters).

Of these, 55 matters have been disposed of and 31 sent for mediation. These include withdrawals (5 matters), infructuous (5 matters) and abatement (2 matters). Other reasons for disposal included non-prosecution (4 matters) and orders of non interference as no legal error was evident (5 matters). Notably, in 45 of the 55 disposed cases, only one hearing was required before the matters were disposed of. 69 matters remain non-disposed however. In line with the judicial approach towards family matters, the Court encouraged and sent 31 cases for mediation, which related to divorce, custody and maintenance. Another major reason for non-disposal was procedural hurdles with incomplete pleadings or absence of the Trial Court records (15 matters). Additionally, leave was granted in eight matters. It was also observed that when returnable dates are reinforced, the Registry is better equipped to ensure timely scheduling in these cases.

⁴⁵ These included one case pertaining to pay scales, retirement benefits and disciplinary penalties and four cases of removal and dismissal of service with detailed questions of law and no clear established precedent. In 13 matters two to three hearings were required due to procedural delays.

⁴⁶ *Shaikh Rafik Chand v. The State of Maharashtra*, SLP(C) No. 004847/2023.

Consumer Protection Matters

57 cases (+57 connected matters) reviewed under the Consumer Protection Acts had 38 disposed matters (+11 connected matters). Overall, consumer matters included 33 appeals under Section 23 of the Consumer Protection Act, 1986,⁴⁷ while the rest of the matters were SLPs. Of the disposed matters, 38 matters were disposed of in the very first hearing. 18 of these cases were withdrawn (15 matters), dismissed as infructuous (2 matters) or dismissed due to abatement of the parties (1 matter). Those matters that remain pending are primarily due to procedural delays such as non-service of notice or pending affidavits (5 matters) or the non-appearance of counsel (1 matter).

Labour Matters

60 matters (+17 connected matters) were included under this category, with 37 disposals (+8 connected matters). Overall, these cases essentially pertained to termination and reinstatement (20 matters), employee compensation (8 matters), arrears of salary, provident fund disputes (7 matters) and matters under the Industrial Disputes Act, 1947 (6 matters).

It was observed that these matters were processed under two distinct procedural tracks by the judges. 30 cases were disposed of at the stage of Special Leave Petitions (SLPs), while seven cases progressed to grant of leave, followed by full hearings and final judgments. Cases involving dismissal or termination, regularisation of service, payment of back wages or salaries, reinstatement, and employee compensation were often resolved under the first track within one to two hearings, where only two cases were dismissed as withdrawn. Under the second track, in seven matters, leave was granted, the matters were heard and disposed of indicating that the legal questions involved were relatively straightforward and did not necessitate a long hearing. One matter was also sent for mediation, and was to be listed before the Court post the Mediation Centre's report. This matter referred to the mediation was on compensation sought by the appellant, an operator on a stone cutting machine, after an accident at his workplace which resulted in his arm's amputation.⁴⁸

⁴⁷ "Any person, aggrieved by an order made by the National Commission in exercise of its powers conferred by sub-clause (i) of clause (a) of section 21, may prefer an appeal against such order to the Supreme Court within a period of thirty days from the date of the order."

⁴⁸ *D. Nagarjuna v. DRN Infrastructure*, SLP (C) 18754/2023.

PIL Matters

52 PIL matters (+11 connected matters) formed part of the case docket for Miscellaneous No Coram (After Notice) cases. Of these, 29 were disposed of (+6 connected matters), many of which involved matters deemed infructuous (11) or frivolous (18). Moreover, in two cases the Court indicated its inclination to not entertain petitions since there was no substantive question of law. Unlike criminal, service, or family law cases where the bulk of filings occurred after-2020, a majority of PILs classified by CRP were filed much earlier. 23 of the 45 matters were instituted between 2013 and 2019 but were not pursued thereafter, unlike other categories where the primary reason for pending matters included procedural delays. In this category, cases were pending due to lack of follow up from the counsels.

Contempt Matters

The case docket for Miscellaneous No Coram After Notice Matters included 33 Contempt Petitions (+6 connected matters) with 20 disposed matters (+3 connected matters). 20 of these matters were disposed of in the first hearing. Six of these were infructuous by their disposal date, one had abated, and seven were withdrawn orders of non-interference in six of these.

Rent Act Matters

A total of 24 matters (+2 connected matters) related to laws on rent control were identified by CRP, of which 14 (+2 connected matters) were disposed of. The disposed matters included one matter which was deemed infructuous and one which was withdrawn but rest were resolved on merit. A majority of these cases concerned issues of eviction (8 matters). Here, if the Court dismissed tenants' challenge to the eviction orders (3 matters), three months were typically granted to vacate, clear payments and give an undertaking. 10 matters remained non-disposed due to procedural delays, such as the parties' failure to file applications to substitute legal heirs of the deceased parties or to file application belatedly to vacate abatement.

Insolvency and Bankruptcy Matters

A total of 19 (+6 connected matters) were listed under the Insolvency and Bankruptcy Code, 2016 (IBC), of which 14 cases (+3 connected matters) were disposed of. The majority of the

disposed cases were appeals under Section 62 of the IBC,⁴⁹ which allows for challenges to decisions of the National Company Law Appellate Tribunal (NCLAT).⁵⁰ Of the disposed cases, one was disposed of as infructuous and two were withdrawn. Eight of these cases took only one hearing to dispose of and pertained to appeals from the NCLAT.

Tax Matters

Only six taxation matters (+25 connected matters) were classified and listed by CRP as falling under the required category where three were disposed of. Fewer tax cases indicate that these cases with significant financial implications that come to the Court typically require multiple hearings for resolution. Moreover, the cases being disposed of were those rendered infructuous, primarily due to new regulatory frameworks that made the previous regimes obsolete (2 matters).

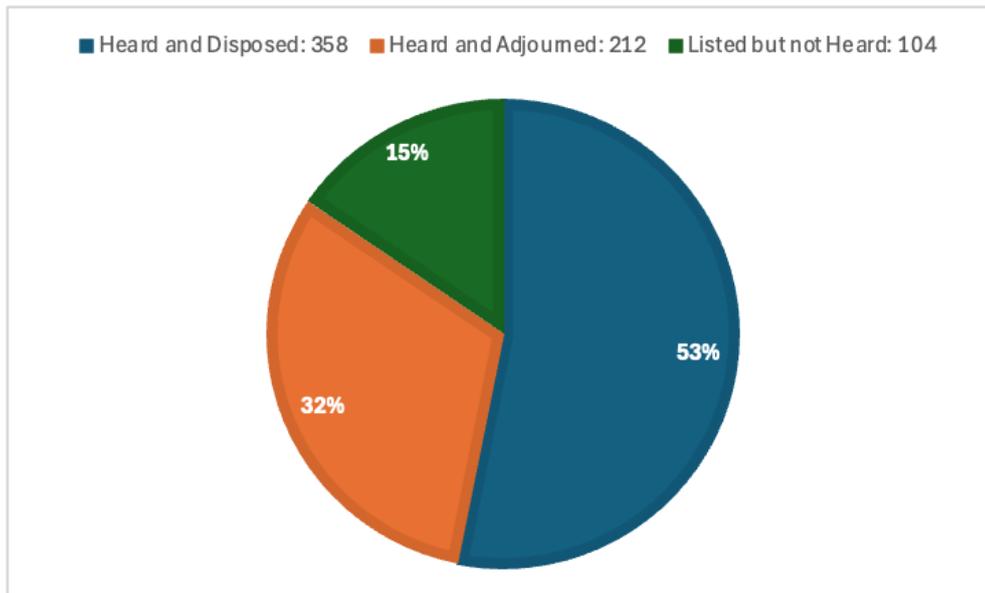
C. Regular Criminal No Coram Findings

A total of 1,345 cases were classified in this category, resulting in 748 matters being identified, of which 674 (+164 connected matters) could already be listed before the Court, leading to 358 disposals (+62 connected matters), and an overall disposal rate of 53.1%. The table and pi chart below provides an overview of these matters.

⁴⁹ Any person aggrieved by an order of the National Company Law Appellate Tribunal may file an appeal to the Supreme Court on a question of law arising out of such order under this Code within forty-five days from the date of receipt of such order.

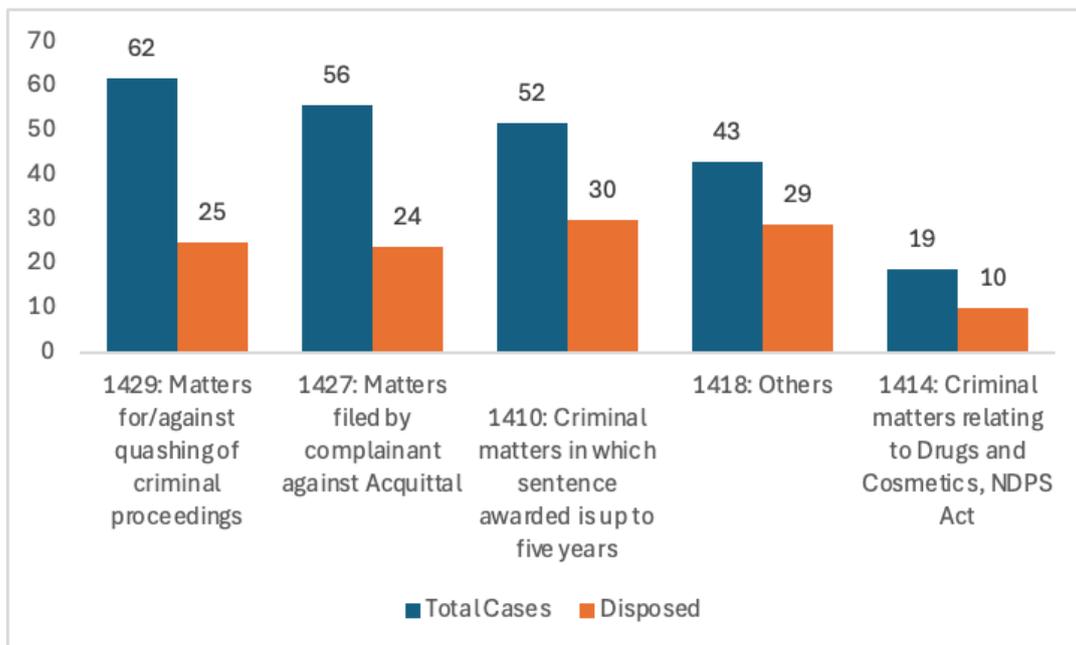
⁵⁰ Although in IBC matters there is a strict 330-day deadline mandated for the Corporate Insolvency Resolution Process (CIRP), including extensions, compliance with this timeline was seen to be rare due to adjournments, lack of returnable dates, and failure to list matters regularly. This leads to procedural stagnation, especially in appeals challenging the rejection of CIRP admission or delay condonation denials, where the underlying CIRP may have already concluded.

Graph 7: Criminal Regular No Coram Listed CRP Matters Overview



Each case was assessed on the basis of its factual matrix. The 748 cases identified in Criminal No Coram show there are five key areas which ended up forming a majority of the identified cases:

Graph 8: Sub-Category Wise Listing and Disposal in Regular Criminal Listed Matters

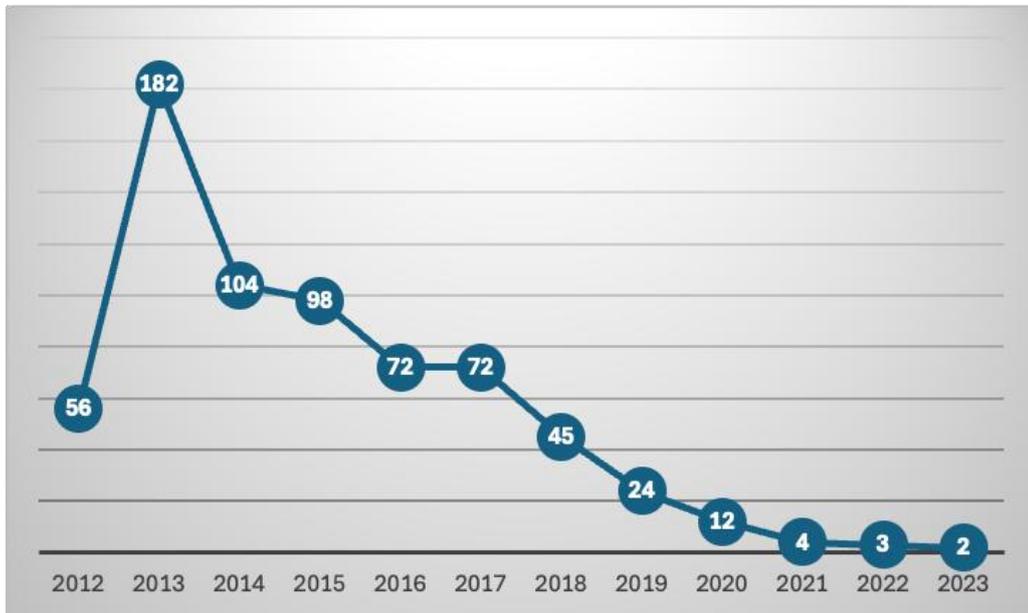


Note: This graph accounts only for the main matters

An analysis of the year of filing for these matters highlighted that the average length of time these matters were pending is 4.94 years, with the oldest case being filed in 2006, and the most

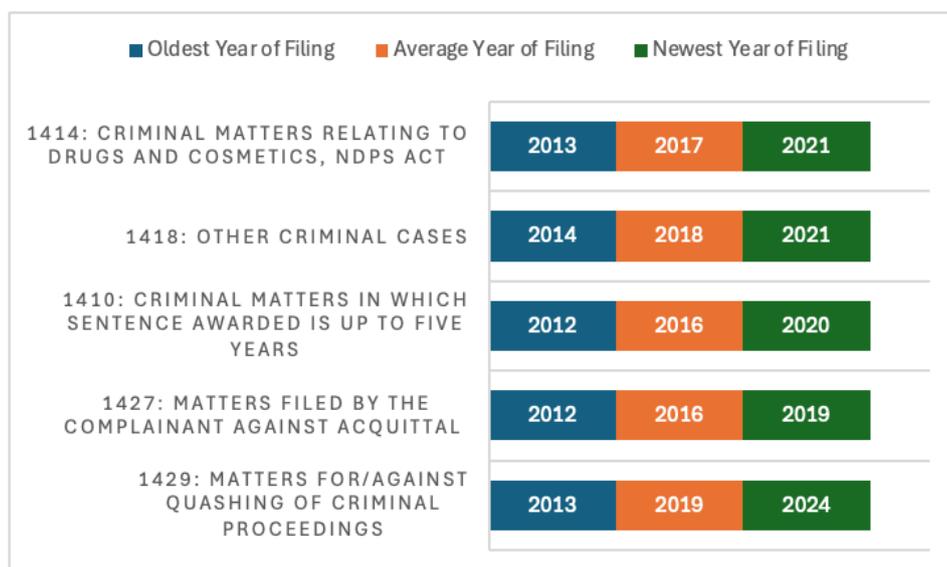
recent one in 2021. Some cases from the earlier time period could not be processed for analysis as they are still being digitised. A year-wise chart of the cases filed is as follows:

Graph 9: Year-Wise Filing of Regular Criminal Listed CRP Matters



A subcategory-wise breakdown of the mean pendency for each category is highlighted in the following graph:

Graph 10: Pendency of Miscellaneous No Coram CRP After Notice Listed CRP Matters



An extensive analysis of each of the five categories mentioned is continued in the sections below.

1429: Matters for/against Quashing of Criminal Proceedings

Maximum cases were recorded under Matters for Quashing Criminal Proceedings with 62 cases (+12 connected matters). Of these cases, 25 (+2 connected matters) have been disposed of so far and included cases of cheating under Section 420 IPC (17), Criminal Breach of Trust under Section 406 IPC (10), forged documents (10) under Section 471 and Criminal Conspiracy under Section 120B IPC (9). The other cases were on the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (5), Forest Act, 1972 and Forest Acts for the state of Karnataka (2), the Contract Labour (Regulation and Abolition) Act, 1970 (1), Drugs and Cosmetics Act, 1940 (1), the Protection of Children from Sexual offences Act, 2012 (1), and Negotiable Instruments Act, 1881 (1). Notably, 14 of the 25 disposed matters required only one hearing for dismissal.⁵¹

1427: Matters filed by the Complainant Against Acquittal

56 matters (+8 connected matters) included criminal acts done in furtherance of common intention under Section 34 IPC (9), rioting under Section 148 IPC (6) and under Section 302 IPC (5). Other than IPC, four statutes were relied on: Arms Act, 1959 (6), Negotiable Instruments Act, 1881 (3), Explosives Substances Act, 1908 (2), and the Tamil Nadu Prohibition of Harassment of Women Act (1).

24 matters (+5 connected matters) were disposed of in which one of the matters was disposed of as abated since the appellant-complainant and his son had passed away.⁵² Additionally, ten of the disposed matters only required one hearing. Lack of Trial Court records (12) has also been a primary reason for pending matters within this category.

1410: Criminal matters in which sentence awarded is up to five years

⁵¹ Judgment waiting pronouncement in 42064/2014. One was infructuous.

⁵² *Rajuram v Phoosharam*, CrI.A. No. 001937 / 2014.

Criminal matters where a sentence up to five years was awarded formed the third highest number of cases, with 52 matters (+19 matters) being recorded under this category. These cases pertained to Section 307 IPC (9), Section 304 IPC (8), Section 506 IPC (7) and under Section 326 IPC (6). Other special criminal provisions invoked included the Arms Act, 1959 (6), the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (2), and the Narcotic Drugs and Psychotropic Substances Act, 1985 (1).

30 (+11 connected) matters have been disposed of so far. In five cases the matter was dismissed as abated, with the parties passing away before the completion of the matters. Among the pending matters, in at least seven matters, listing was delayed due to procedural reasons including passing away of the party's counsel (1), failure by parties to file additional documents (1), delays in the appellant's legal representatives coming on record after the appellant's death and lack of digital records from lower courts (3).

1418: Other Criminal Cases

A total of 43 cases (+19 matters) were recorded under this category, with 29 disposals (+11 matters). This wide category consists of cases under the Arms Act, 1959, Juvenile Justice Act, 1986, Companies Act, 2013, and Prevention of Corruption Act, 1988. Two matters were disposed of as infructuous. 19 of these matters were disposed in their first hearing, while the rest were disposed of in two hearings.⁵³

19 matters were recorded under the category of Drugs and Cosmetics, Narcotic Drugs and Psychotropic Substances (NDPS) Act 1985, with 10 disposals, all pertaining to the NDPS Act, 1985. Of the disposed matters, two were disposed of as infructuous and one was abated. Six of the disposed matters required only one hearing while the remaining four required two hearings since records from lower courts had to be called for these matters.

Judgment Analysis

Of the disposed Criminal Regular Matters, the Supreme Court reserved judgment on 34 matters. The judgment has since been pronounced for 20 matters (detailed analysis given in

⁵³ Of those disposed of in two hearings, three were initially adjourned since Trial Court records had not yet been received.

Annexure X). An area-wise analysis of some of the cases that gained media attention is as follows:

1. **Juvenile Justice**

In *Om Prakash @ Israel @ Raju @ Raju Das v. Union of India and Another* (2025 INSC 43), a Division Bench of Justices M.M. Sundresh and Arvind Kumar acquitted a convict initially sentenced to death for a 1994 murder committed when he was 14 years old. Despite multiple attempts across trial, appeal, review, curative petitions, and even a mercy petition (where his death sentence was commuted to life imprisonment), the convict's plea of juvenility at the time of the offense was consistently overlooked by the judicial system. The Supreme Court acknowledged that a grave injustice has been perpetrated, on account of the consistent failure on part of the judicial machinery to recognise and act upon the constitutional mandate vis-à-vis the plea of juvenility.⁵⁴

2. **Curbing Prosecutorial Incompetence**

Mahabir v. State of Haryana (2025 INSC 120) which concerned a 1998 murder, saw the Supreme Court acquit appellants wrongly sentenced to life imprisonment by the High Court, which had improperly reversed a Trial Court acquittal in revisional jurisdiction. The Division Bench of Justices J.B. Pardiwala and R. Mahadevan strongly criticised the public prosecutor's conduct, who had sought capital punishment despite the High Court's limited revisional powers. The Court made critical observations on the flawed appointment process of public prosecutors, highlighting favouritism and nepotism,⁵⁵ and urged states to ensure merit-based appointments.⁵⁶ Notably, the Court

⁵⁴ Ananthakrishnan G., “Death row to freedom: SC flags grave oversight, finds man was convicted as adult for murders committed at age 14,” *The Indian Express*, Jan. 9, 2025, available at: <https://indianexpress.com/article/india/sc-frees-man-convicted-adult-murders-9767646/> (last visited on Apr. 14, 2025).

⁵⁵ Amit Anand Choudhary, “High Court erred, says Supreme Court but blames Haryana government,” *The Times of India*, Jan. 30, 2025, available at: <https://timesofindia.indiatimes.com/india/high-court-erred-says-supreme-court-but-blames-haryana-government/articleshow/117705037.cms> (last visited on Apr. 14, 2025).

⁵⁶ “Govt Pleaders & Prosecutors Must Be Appointed On Merit; Not On Political Considerations Or Nepotism: Supreme Court,” *LiveLaw*, Jan. 29, 2025, available at: <https://www.livelaw.in/supreme-court/govt-pleaders-prosecutors-must-be-appointed-on-merit-not-on-political-considerations-or-nepotism-supreme-court-282353> (last visited on Apr. 14, 2025); “Appoint prosecutors on merit and not on political factors: Supreme Court,”

directed the State Government to pay Rs. 5,00,000- compensation each to the unjustly incarcerated appellants for their three-month imprisonment after two decades of their initial acquittal.

3. **Qualifications v. Eligibility in Public Employment**

In *Jomon K.K. v. Shajimon P. & Ors. etc.* (2025 INSC 425), the Supreme Court held that possessing higher qualifications does not automatically guarantee selection over candidates meeting the basic requirements.⁵⁷ The decision, delivered by Justices Dipankar Datta and Manmohan, affirmed a Kerala High Court judgment that excluded the appellant from the post of "Boat Lascar" which was advertised in 2012 by the Kerala Public Service Commissioner, despite holding a Syrang's license (a higher qualification than the required Lascar's license). The Court reasoned that allowing candidates with higher qualifications to compete for roles requiring lesser qualifications could disadvantage those with only the basic qualifications, disrupting the level playing field intended for them.

4. **Scrutiny of Extra-Judicial Confessions**

In *Ramu Appa Mahapatar v. The State of Maharashtra* (2025 INSC 147), a Division Bench comprising Justices Abhay S. Oka and Ujjal Bhuyan, overturned the Bombay High Court's affirmation of the Trial Court's conviction of the accused under Section 302 IPC. The Court found that the extra-judicial confession made in relation to a 2003 murder, a primary evidence against the accused, lacked credibility and suffered from material contradictions. The Court reiterated that *extra-judicial confessions are weak evidence requiring rigorous scrutiny, voluntariness, truthfulness, and corroboration, especially in cases relying on circumstantial evidence where a complete chain of circumstances must be established.*⁵⁸

Deccan Herald, Feb. 14, 2025, available at: <https://www.deccanherald.com/india/appoint-prosecutors-on-merit-and-not-on-political-factors-supreme-court-3378936> (last visited on Apr. 14, 2025).

⁵⁷ "No Universal Rule That Candidate With Qualification Higher Than Basic Eligibility For Post Must Be Preferred: Supreme Court," *LiveLaw*, Apr. 2, 2025, available at: <https://www.livelaw.in/supreme-court/no-universal-rule-that-candidate-with-qualification-higher-than-basic-eligibility-for-post-must-be-preferred-supreme-court-288268> (last visited on Apr. 14, 2025).

⁵⁸ Deeksha, "Extra-judicial confession lacked credibility and evidence suffered from material contradiction; SC acquits murder convict even after strong suspicion," *SCC Times*, Feb. 7, 2025, available at:

5. Witness Credibility and FIR Integrity

In *The State of Uttar Pradesh v. Raghuvir Singh* (CRIMINAL APPEAL NO.1588 of 2015), the Division Bench comprising Justices J. B. Pardiwala and R. Mahadevan upheld the acquittal of an accused in a 2004 murder case. The Court reasoned that *a witness's failure to name all perpetrators in the FIR, especially when they were allegedly present, weakens the complainant's credibility*. This omission, deemed unnatural, becomes relevant under Section 11 of the Indian Evidence Act, 1872. The Court noted that the lead complainant, the deceased's father, had omitted naming two individuals he claimed were present during the crime.

6. Importance of Careful Scrutiny by the Courts

In *Wahid v. State Govt. of NCT of Delhi* (2025 INSC 145), the Division Bench comprising Justices P.S. Narsimha and Manoj Misra, acquitted Wahid and Anshu in a 2011 Delhi robbery. The case involved the robbery of a mini-bus and its passengers by four armed individuals.⁵⁹ The acquittal was based on questionable identification and circumstantial evidence, with the Court stressing *the importance of careful examination when the FIR doesn't name the accused and eyewitnesses lack prior familiarity with them*.

7. Writ Jurisdiction Must Prevail Over Alternative Remedy in Prolonged Instances of Injustice

In *Neha Chandrakant Shroff & Anr. v. The State Of Maharashtra & Ors.* (2025 INSC 484), the Supreme Court, comprising Justices Pardiwala and Mahadevan, overturned a Bombay High Court decision regarding a long-standing property dispute. The case centered on two Mumbai flats owned by the appellants, occupied by the Maharashtra

<https://www.sconline.com/blog/post/2025/02/07/extra-judicial-confession-lacked-credibility-sc-acquits-murder-convict/> (last visited on Apr. 14, 2025).

⁵⁹ Yash Mittal, "Meticulous Examination Needed In Cases Where FIR Was Against Unknown Persons & Accused Are Not Known To Witnesses: Supreme Court," *LiveLaw*, Feb. 5, 2025, available at: <https://www.livelaw.in/supreme-court/meticulous-examination-needed-in-cases-where-fir-was-against-unknown-persons-accused-are-not-known-to-witnesses-supreme-court-283018> (last visited on Apr. 14, 2025).

Police Department since 1940 without a written lease or requisition order. Initially, nominal rent was paid, but this ceased entirely in 2008. The appellants' writ petition, seeking possession, was dismissed by the Bombay High Court on April 30, 2024, which directed them to pursue alternative legal remedies. However, on April 9, 2025, the Supreme Court, in a landmark judgment, set aside this decision.⁶⁰ The Court ruled that the prolonged, undocumented occupation and non-payment of rent constituted a clear injustice warranting its intervention. The Supreme Court found it unreasonable to compel the appellants to file a civil suit after such an extended period of occupation. Consequently, it ordered the State to vacate the flats within four months and pay all outstanding rent from 2008. The Deputy Commissioner of Police was directed to provide an undertaking ensuring compliance. The Court emphasised that the rule of exclusion of writ jurisdiction due to alternative remedies is discretionary, and constitutional courts i.e High Courts and Supreme Court must intervene to address injustice.

D. Civil Cases No Coram and Miscellaneous Coram (After Notice): A Projection

We are briefly detailing here the Civil Regular No Coram and Miscellaneous Coram matters classified by CRP, though their listing and hearing are ongoing. After the Criminal Regular No Coram matters, Civil No Coram matters were analysed. Around 2,388 Civil No Coram matters were classified, of which 737 (+30 connected) emerged as short, infructuous or old. These belong to the following case categories:

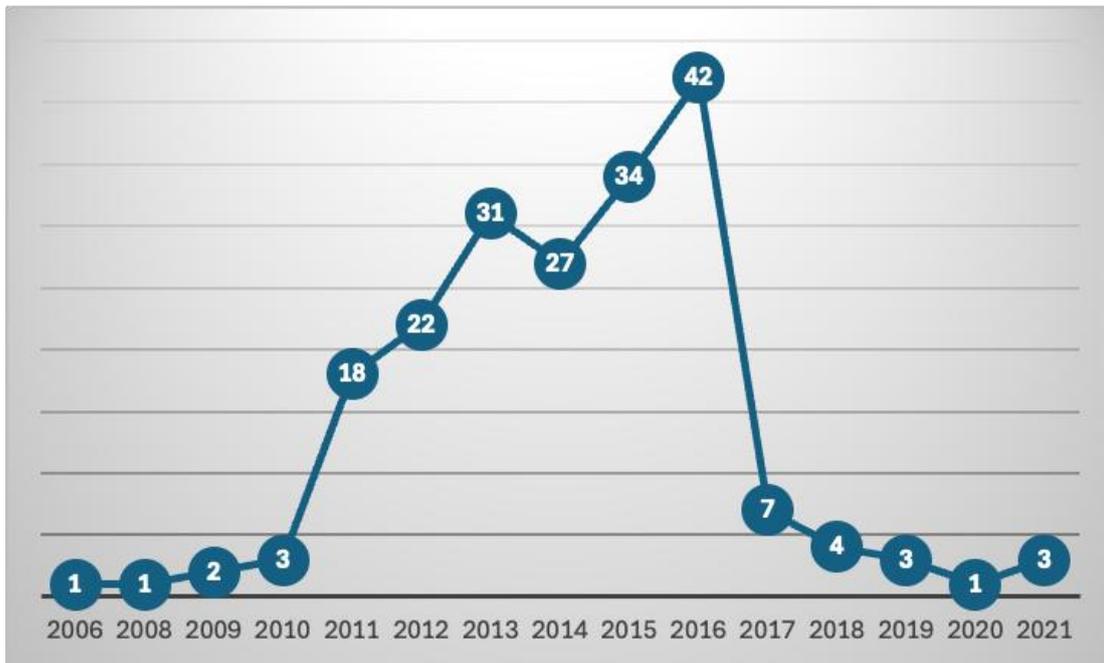
- Labour matters (40 matters)
- Matters of rent and eviction (20 matters)
- Direct and indirect tax matters (85 matters)
- Service matters (126 matters)
- PILs (10 matters)
- Election matters (9 matters)
- SLPs challenging arbitration matters (13 matters)

⁶⁰ Supreme Court Asks Maharashtra Police To Vacate Bombay Flats Held Since 1940s; Criticises HC For Rejecting Owners' Writ Petition <<https://www.livelaw.in/supreme-court/supreme-court-asks-maharashtra-police-to-vacate-bombay-flats-held-since-1940s-criticises-hc-for-rejecting-owners-writ-petition-289478>> (last visited on Apr. 18, 2025).

- Appeals against orders of statutory bodies (20 matters)
- Family law matters (13 matters)
- Contempt Petitions (14 matters)
- Matters falling under ‘Ordinary Civil Matters’ (78 matters)

While the listing for these matters is still ongoing, 199 matters have been listed by mid-April. Of these 199 matters (with 10 connected matters), 96 (with 3 connected matters) have been disposed of so far.

Graph 11: Year-Wise Filing of Regular Civil Listed CRP Matters



Notably, 57 of the 97 cases required only one hearing for disposals.⁶¹ In three matters, the cases were disposed of as withdrawn, while in three others the judgments were disposed of as reserved and their judgments will be pronounced. Civil matters listing will continue in the Court till Mid-May to obtain the final figures of disposal.

Miscellaneous After Notice Matters (With Coram)

Miscellaneous After Notice Coram matters were processed simultaneously with the Civil Regular No Coram. Since there are a total of over 12,000 plus Coram matters (dynamic number subject to change) in the Court, these cases could not individually be analysed and classified. Rather, trends from the previous three were identified to shortlist matters that are likely to qualify as short, infructuous or old matters. Consequently, number of cases were identified in the following areas:

⁶¹ Whereas the remaining six cases were disposed of in two hearings, one case required three hearings, and one required four hearings.

- Election Petitions (7 matters)
- Accidental Claim (49 matters)
- Service Matters (30 matters)
- Matters pertaining to Rent and Eviction (2 matters)
- Quashing Matters (64 matters)
- Petitions for Appointment of Arbitrator under Section 11 of the Arbitration and Conciliation Act, 1996 (11 matters)
- SLPs Challenging Arbitration Matters (4 matters)
- Contempt Petitions (73 matters)
- Matters Pertaining to Consumer Protection (62 matters)
- Admission Matters (6 matters)
- Workmen Compensation Matters (5 matters)
- Other Criminal (83 matters)
- PILs (27 matters)

So far, these matters have accounted for 2,823 cases; of these, 815 matters have been classified as short, infructuous, or old but 142 had already an upcoming date. Additionally, 113 of the classified matters could not be listed either since leave had already been granted (34) or these matters were pending in the Registrar's Court (22). 427 were listed as CRP matters, of which 191 matters were disposed of in the first hearing. The most significant challenge in Coram matters was shortlisting cases as they often already have or get an upcoming date for hearing while matters are being classified. Further, the Coram of the cases cannot be changed, therefore, our observation is that advance list and tracking of cases identified under this category will need to be prepared to ensure their timely listing and disposal.

E. Additional Measures

CRP also assisted in additional measures taken at the Supreme Court to hear and provide judicial resolution for important matters. These include:

- Identifying tax cases with effect under Rs. 5 crores.
- Analyse the status of group matters with 50+ cases attached.
- Provide briefs of connected matters.

- Checking the data on mediation cases to understand the status of cases referred.
- Assisting in disposal of Motor Accident Claims Tribunal cases (MACT).

Tax Matters: CRP initially assisted by reviewing 73 (with 142 connected matters) tax matters where the tax incidence was lower than Rs. 5 crores. A similar exercise was carried out multiple times to assist in disposal of these matters. By undertaking this exercise, CRP was able to assist in pending tax cases.

Group Matters: CRP reviewed 72 group cases where 50+ connected matters were tagged with the main case. Through this exercise, we found that the Supreme Court has an advanced tagging and clubbing system with correct identification of attached matters and the majority of these matters are being listed regularly with both the Bench and the Bar actively pursuing these cases.

Connected Matters: Subsequently, CRP assisted in providing briefs for cases where the main matter had been disposed of and the connected matters were still pending in the Court. The briefs designed for these cases focused on answering the question on whether the issues in connected matters were squarely answered by the issue discussed in the main matter for further detailed scrutiny by the Bench. Around 500+ connected cases of this nature across five-six cases were disposed of by different benches.

Mediation Matters: The Supreme Court had referred a total of 905 cases for mediation in 2023, and 1,385 in 2024.⁶² CRP had assessed the status of these cases to verify the pending matters from the shared list. An overview of the status in these cases revealed that only 23 matters had not been referred back to the Court after failed mediation. These 23 cases were then sent for listing.

MACT Matters: The Supreme Court presently has 914 Motor Accident Claims Tribunal (MACT) matters on the docket. These matters can be categorised as one that typically require a short hearing. The CRP Team assisted the Court in preparing briefs for these cases which facilitated their disposal when listed before the Court.

⁶² Figures as per list received from the Mediation Centre.

Annexure

March 3, 2025: ‘Pendency at the Supreme Court: A Dialogue’

Speech by Hon’ble Mrs. Justice B. V. Nagarathna

It is said that justice hurried is justice buried and justice delayed is justice denied. The focus of today’s discussion is on denial of justice to the litigants owing to delays in the judicial process in the Supreme Court. The focus is on how to reduce the pendency before the Apex Court. At the outset, I congratulate Hon’ble the Chief Justice of India, Shri Sanjiv Khanna for anticipating the concerns regarding the pendency of cases not only before the Supreme Court but at the level of the High Courts as well as the District Courts. This is despite the increase in the sanctioned strength in the cadre of Judges at various levels including the Supreme Court. Since, the docket explosion has not been managed effectively and efficiently, the pendency and arrears in each court is a mammoth problem which we are facing today.

We need to introspect and evolve ideas which are practical and pragmatic so that the Registry could list the cases before the different Benches of this Court where they can be disposed of owing to the different nature of cases.

To give an idea of the status of pendency in the Supreme Court, I may give a few statistics:

S. No.	Particulars	Total number of matters
1	Total Pending Matters	80,961
1.1	Total Regular Matters	21,621
1.2	Total Misc. Matters	50,583
1.3	Defective/Non-Verified/Under Scrutiny (Not Proposed for listing)	8,757
1.2.1	Fresh matters	4,646
1.2.2	After Notice Matters	25,790
1.2.3	Other Misc. Matters	20,147

Therefore, our concern is with regard to the listing of cases which could be disposed of having regard to the peculiar stage of cases in which they are presently. For instance, there are 571 election matters pending before this Court right from the year 2006. If an Election Petition has been dismissed and an appeal has been filed before this Court and the term of the House (Assembly or any other elected body) has lapsed, then such matters have been rendered infructuous owing to the share lapse of time. They could be disposed of as such without going into the merits of the case unless there is some observation which calls for consideration. Only those election appeals where a disqualification has been imposed on the returned candidate whose election may have been set aside would call for consideration. Even here, if the period of disqualification is over then it would have become an infructuous appeal.

Therefore, I would list out the following type of cases which could be identified by the learned Advocates, particularly the AORs who could get these cases listed before this Court.

I. Election Appeals

- 1) Appeals against orders/judgments passed in election petitions where they have been dismissed by the High Court or by other courts and the term of office of the elected candidates has come to an end.
- 2) Appeals against orders/judgments passed in election petitions where they have been allowed by the High Courts and the term of office of the elected candidates has come to an end and where there have been no adverse findings leading to disqualification or calling for setting aside of any such observations.
- 3) Election Appeals which have been filed against orders passed under Order VII Rule 11 CPC or against striking down of pleadings in Election Petitions where the term of office of the elected member has come to an end.

II. Tax Matters

- 1) Cases which could be disposed of on the basis of 'low-tax effect' by keeping the question of law, if any, open.
- 2) Tax Matters which are covered by the decisions of this Court.

III. Motor Vehicles Accident Claims and Workmen Compensation Claims

- 1) SLPs/Civil Appeals against motor vehicle accidents claims and Workmen Compensation Claims which could be disposed of on the basis of the decisions of this Court which have settled the law.

IV. SLPs/Civil Appeals against interim orders passed by the High Courts in Writ Petitions/Writ Appeals/LPAs

- 1) SLPs/Civil Appeals have been filed against the interim order passed by the High Courts in writ petitions/writ appeals/LPAs and the High Courts have disposed of the later cases finally, the cases pending before this Court would be rendered infructuous particularly when the High Court's orders/judgments have been assailed separately before this Court.

V. Civil Matters

- 1) SLPs/Civil Appeals which have arisen out of interim applications, where there is no stay of suits or other proceedings and such suits and other proceedings have been disposed of. Such SLPs or Civil Appeals arising out of interim applications filed in the suits and other proceedings would have been rendered infructuous.
- 2) SLPs/Civil Appeals pending against the orders passed by the High Courts in exercise of jurisdiction under Order 43 Rule 1 CPC which deal with appealable orders during the pendency of the suits and where the suits or other proceedings have been disposed of. As a result, SLPs/Civil Appeals would be rendered infructuous and they could be listed before the Court.
- 3) SLPs/Civil Appeals pending as against orders passed in execution proceedings where the execution proceedings have been closed and as a result the SLPs/Civil Appeals would be rendered infructuous.

VI. Regular First Appeals and Second Appeals

- 1) SLPs/Civil Appeals arising out of orders of regular first appeals and second appeals passed by the High Court where the application for condonation of delay has been dismissed and consequently the appeals have been dismissed. In these cases, the correctness or otherwise of the orders of the High Court declining condonation of delay

in filing the regular first appeals or second appeals before the High Court have only to be considered and not on the merits of the appeals.

- 2) SLPs/Civil Appeals filed against orders of the High Courts dismissing the regular first appeals for default/non-prosecution and there being no restoration of the said appeals by the High Court. In these cases, whether a case for restoration of the appeals before the High Court is made out or not has to be only considered and accordingly the cases may have to be remanded to the High Courts.
- 3) SLPs/Civil Appeals against interim orders passed by the High Court in regular first appeals or second appeals and where such appeals have been disposed of by the High Court.
- 4) SLPs/Civil Appeals against final judgments passed by the High Court in regular first appeal or second appeal on merits without hearing the appellant(s) or in the absence of the appellant(s), where possibly the matters would have to be remanded to the High Court.

VII. Education Matters

- 1) Where the academic year has been completed or where the examination has been concluded, such cases would be rendered infructuous and accordingly could be listed and disposed of.

VIII. Service Matters

- 1) Where an employee has been suspended and there is a challenge to the suspension without any interim relief and the employee attains superannuation or the order of suspension has been revoked.
- 2) Where the challenge is to a show cause notice, charge memo or any challenge to an interim order passed during an enquiry and the enquiry is concluded and a final order is passed either exonerating the delinquent employee or imposing a punishment.
- 3) Where there is a challenge to an order of transfer and significant time has lapsed without there being any interim order of stay and the matter has been rendered infructuous.

- 4) Where there is a challenge made to a selection process and on filling up of the vacancy a subsequent order has been issued for a fresh recruitment.
- 5) Where a case for regularisation is pending before this Court and the employee has attained superannuation.
- 6) Where appointment/promotion of a person is challenged and the said person has retired or attained superannuation.
- 7) Where a challenge is made to a committee's constitution and the term/tenure of the said committee is completed.
- 8) Where the matters are seeking to fill up vacancies of certain posts but the vacancies have already been filled up.
- 9) Where the challenge is to a particular service condition and the same has been substituted by a new service condition.

In all the above cases, the SLPs/Civil Appeals would be rendered infructuous and hence they could be listed for being disposed of.

IX. IBC Matters

- 1) Civil Appeals challenging the admission of a corporate debtor to CIRP (Corporate Insolvency Resolution Process) and where the resolution plan has been approved and there is no challenge to the same or is in the process of execution.
- 2) Where government dues are not raised and therefore are not part of the resolution plan which has been approved and the case is covered by the judgment of this Court in *Ghanashyam Mishra v. Edelweiss Asset Reconstruction Company Limited*, (2021) 9 SCC 657.

The above appeals would be rendered infructuous

X. Criminal Matters

- 1) SLPs/Criminal Appeals pending against the orders passed by the Sessions Court on interim applications during the pendency of the trial and which have been sustained or set aside by the High Court and where the trial is concluded.
- 2) SLPs/Criminal Appeals against acquittal filed by the State and the accused has died.
- 3) SLPs/Criminal Appeals against conviction where the petitioners/appellants have died.
- 4) SLPs/Criminal Appeals against death penalty and life imprisonment where the accused have died either in jail or while on bail, as the case may be.
- 5) SLPs/Criminal Appeal where there is no suspension of sentence and during the pendency of these cases before the Supreme Court the accused has been released on completion of sentence.
- 6) SLPs/Criminal Appeal against order passed by the High Court refusing to discharge the accused and there being no interim order passed by the Supreme Court, the trial has been concluded and would have resulted in either acquittal or conviction of the accused.

In the aforesaid cases, the Special Leave Petitions/Criminal Appeals would have been rendered infructuous and could be listed for being disposed of.

(a) Bail Matters

- 1) SLPs filed against orders of High Court declining grant of anticipatory bail and during the pendency of the cases before the Supreme Court the accused has been arrested or granted regular bail.
- 2) (2) SLPs filed against orders of High Court declining grant of regular bail and during the pendency of the cases before the Supreme Court, the accused has been granted regular bail by the High Court or has been discharged.

The aforesaid type of cases would have been rendered infructuous and therefore it could be listed to be rendered disposed of.

(b) High Court Orders from Criminal Revision Petitions

- 1) SLPs/Criminal Appeal against orders passed by the High Court in Criminal Revision Petition arising out of a criminal trial and the trial having been concluded resulting in acquittal or conviction and the matter before this Court being rendered infructuous.

(c) Section 482 Cr.P.C.: Quashing petitions

- 1) SLPs/Criminal Appeal against the order refusing to quash the FIR and subsequent criminal proceedings and there being no interim order being passed by the Supreme Court, the same being infructuous owing to the conclusion of the trial resulting in either acquittal or conviction

(d) Cheque Bounce Cases

- 1) SLPs/Criminal Appeals against the judgment of conviction in which the parties are willing to compromise and enter into a settlement or where the parties could be referred to mediation.
- 2) SLPs/Criminal Appeals against interim orders for payment of interim compensation not exceeding 20% ordered by the High Court in a criminal revision petition which has been disposed of by the High Court.

XI. Land Acquisition Cases

- 1) SLPs/Civil Appeal arising from orders passed by the High Court under Section 24(2) of the 2013 Act which are covered by the judgment of the Supreme Court in *Indore Development Authority v. Manoharlal & Others*, (2020) 8 SCC 129.

XII. Partition Suits

- 1) SLPs/Civil Appeals arising from judgments of the High Courts in partition suits which could be now disposed of on the basis of the judgment of the Supreme Court in *Vineeta Sharma v. Rakesh Sharma* (2020) 9 SCC 1.

XIII. Transfer Cases/TC (Civil.)

- 1) Cases seeking transfer of matters from the High Court to the Supreme Court where there is no interim stay of proceeding before the High Court during the pendency having been rendered infructuous owing to disposal of the case sought to be transferred by the High Court(s).

XIV. Arbitration Matters

- 1) SLPs/Civil Appeals arising out of orders passed under Section 9 of the Arbitration and Conciliation Act, 1996 which have been rendered infructuous owing to the passing of the award or for any other reasons.
- 2) SLPs/Civil Appeals where the Trial Court has referred the matter to an arbitration tribunal under Section 8 of the A & C Act, 1996 and the arbitration has been concluded resulting in an award.
- 3) SLPs/Civil Appeals against the interim order passed by the High Court under Section 37 of the Arbitration and Conciliation Act, 1996 and where the appeal itself has been concluded by the High Court. Such matters would have been rendered infructuous before the Supreme Court.
- 4) SLPs/Civil Appeals against orders of appointment of an Arbitrator/Arbitral Tribunal under Section 11 of the Act which are assailed before the Supreme Court and there being no stay of the arbitral proceedings resulting in an award. Consequently, the SLPs/Civil Appeal would be rendered infructuous.

XV. Family Court Matters

- 1) SLPs/Civil Appeals against award of interim maintenance and the main case regarding maintenance has been disposed of.
- 2) SLPs/Civil Appeals against divorce decrees and where the separation of the parties has been more than ten years and there is no possibility of cohabitation.
- 3) SLPs/Civil Appeals against decree for restitution of conjugal rights or judicial separation and there has been no compliance of the decree leading to a fresh cause of action under Section 13(1)(A) of the Hindu Marriage Act, 1955.
- 4) SLPs/Civil Appeals against orders of maintenance passed under Section 125 of the CrPC and there has been a permanent alimony/maintenance awarded to the spouse owing to divorce between the parties.

- 5) SLPs/Civil Appeals which do not survive for further consideration owing to amicable settlement between the parties either to part ways or to cohabit together.

In all the above cases, the pending matters before this Court would have been rendered infructuous and could be accordingly disposed of.

XVI. Transfer Petition

- 1) Transfer petitions which have been rendered infructuous owing to there being no stay of the proceeding before the concerned Trial Court and the same having been concluded during the pendency of the transfer petition before this Court. Consequently, the transfer petition would have been rendered infructuous.
- 2) Transfer petition pending before this Court could be disposed of owing to dismissal of the proceeding before the Trial Court for non-prosecution, by reserving liberty to the petitioner to revive the transfer petition in the event of restoration of the proceeding before the Trial Court.
- 3) Transfer petition could be disposed of on the basis of mediation and settlement arrived at between the parties and the settlement agreement is placed on record which may be accompanied by joint application under Article 142 of the Constitution of India also.
- 4) Transfer petitions which are to be withdrawn or not pressed on instruction of the petitioner.

XVII. Rent Control matters

- 1) SLPs/Civil Appeals against eviction orders and where the tenant has vacated the scheduled premises and, therefore, such matters have been rendered infructuous.
- 2) Aforesaid cases which have been rendered infructuous for other reasons.

XVIII. Public Premises Act

- 1) SLPs/Civil Appeals which have been rendered infructuous owing to the unauthorised occupant vacating the scheduled premises.

XIX. Consumers Cases

- 1) SLPs/Civil Appeals pending before this Court only on the issue of rate of interest applicable and no other controversy or question may be involved in the matter. Such cases could be disposed of by either referring the matter for mediation or by a judicial verdict.

XX. Contempt of Court

- 1) Civil Contempt of Court proceeding or suo-moto contempt pending as SLPs/Civil Appeals before this Court where there has been compliance and the contempt proceedings have to be dropped.

XXI. Tender Matters

- 1) SLPs/Civil Appeals against orders passed by the High Court in tender matters where the period of tender has lapsed or there has been a cancellation of a tender and a fresh tender notification has to be issued.

XXII. Miscellaneous Applications

- 1) Miscellaneous Applications which are sought to be withdrawn or not pressed.
- 2) Miscellaneous Applications which have been rendered infructuous owing to subsequent development in the case.
- 3) Miscellaneous Applications which have been rendered infructuous for any other reasons.

XXIII. Withdrawal of Cases

- 1) Any SLP/Civil Appeal/Criminal Appeal/Writ Petition which is sought to be withdrawn could be moved for listing before the appropriate Bench.

XXIV. Compromise Petitions/Settlement Agreements/Joint Applications

Any SLP/Civil Appeal/Criminal Appeal/Writ Petition which is sought to be compromised/settled could be moved for listing before the appropriate Bench. I have given a bird's eye view of the cases that could be taken out of turn for the purpose of listing, possibly under a separate heading in the cause list as 'matters to be disposed of'. For this purpose, the cooperation of the members of the Bar is required to intimate the Registry if

they have such types of matters which have become infructuous and could be disposed of as such. Also, cases where there is hardly any controversy between the parties as they are covered by the judgment of this Court could be moved for listing out of turn provided both sides agree that it is covered by the judgment of this Court.

If an email is sent, in the aforesaid situations, it would assist the Registry in identifying such cases for listing out of turn the cases for disposal. However, there is a caveat here. Sending an email by an Advocate/AOR will not be construed to be an early hearing application. It is only for assistance of the Registry for identifying the cases and listing the same before the Court for an out of turn disposal.

There may be certain cases where the coram has not yet been constituted owing to retirement of Judges who formed the earlier Bench. If an email for disposal of the aforesaid types of cases is sent, then the coram would be constituted by Hon'ble Chief Justice of India.



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