

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 3787

ANSWERED ON 03.04.2025

ADDITIONAL AND AD-HOC JUDGES IN HIGH COURTS

3787. SHRI DEREK O' BRIEN:

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

- (a) the total strength of Judges in the High Courts, State-wise;
- (b) the percentage of judges functioning as additional judges in High Courts, State-wise;
- (c) whether the appointment of ad-hoc judges is being carried out by the High Courts;
- (d) if so, the details thereof and if not, the reasons therefor;
- (e) the total number and details of Judges appointed as ad-hoc judges in High Courts till date; and
- (f) whether any assessment has been carried out to estimate if appointment of ad-hoc judges can aid in decreasing judicial pendency?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS;

(SHRI ARJUN RAM MEGHWAL)

(a) to (f): The details of the strength and vacancy of Judges including Additional Judges working in High courts are at **Annexure**.

Article 224A of the Constitution provides for appointment of retired Judges at sittings of High Courts. The Supreme Court vide judgment dated 20.04.2021 in W.P. (C) No. 1236 of 2019 had stipulated guidelines for such appointments. A Supreme Court Bench vide its order dated 30.01.2025 has partially amended the aforesaid judgment dated 20.04.2021 and has, inter-alia, directed that each High Court may take recourse to Article 224A of the Constitution of India for appointment of ad-hoc Judges, between 2 and 5 in number but not exceeding 10% of the sanctioned strength of the High Court.

As per the Supreme Court order dated 30.01.2025, the ad-hoc Judges will sit in a Bench presided over by a sitting Judge of the High Court and will decide pending criminal appeals. The procedure for appointment of ad-hoc Judges, as given in the Memorandum of Procedure (MoP) for appointment of High Court Judges is applicable. The Government has, however not received any proposal from any of the High Courts as yet.

Pendency of cases in courts arise due to several factors which inter alia, include complexity of the facts involved, nature of evidence, co-operation of stake-holders viz. Bar, investigation agencies, witnesses and litigants besides the availability of physical infrastructure, supporting court staff and proper application of rules and procedures to monitor, track and bunch hearing of cases. Furthermore, pendency of cases and vacancy position of judges in High Courts are not necessarily directly related.

ANNEXURE**(As on 28.03.2025)****Sanctioned strength, working strength, vacancies of Judges in the High Courts**

	Name of High Court	Sanctioned strength			Working strength			Vacancies		
		Pmt.	Addl	Total	Pmt.	Addl (%)	Total	Pmt.	Addl	Total
1	Allahabad	119	41	160	79	0(0%)	79	40	41	81
2	Andhra Pradesh	28	9	37	21	9(3%)	30	7	0	7
3	Bombay	71	23	94	53	13(19%)	66	18	10	28
4	Calcutta	54	18	72	31	14(31%)	45	23	4	27
5	Chhattisgarh	17	5	22	9	7(43%)	16	8	-2	6
6	Delhi	45	15	60	39	0(0%)	39	6	15	21
7	Gauhati	22	8	30	21	4(16%)	25	1	4	5
8	Gujarat	39	13	52	32	0(0%)	32	7	13	20
9	Himachal Pradesh	13	4	17	12	0(0%)	12	1	4	5
10	J & K and Ladakh	19	6	25	15	0(0%)	15	4	6	10
11	Jharkhand	20	5	25	15	0(0%)	15	5	5	10
12	Karnataka	47	15	62	47	3(6%)	50	0	12	12
13	Kerala	35	12	47	29	15(34%)	44	6	-3	3
14	Madhya Pradesh	40	13	53	34	0(0%)	34	6	13	19
15	Madras	56	19	75	56	9(13%)	65	0	10	10
16	Manipur	4	1	5	3	0(0%)	3	1	1	2
17	Meghalaya	3	1	4	3	1(25%)	4	0	0	0
18	Orissa	24	9	33	19	0(0%)	19	5	9	14
19	Patna	40	13	53	37	0(0%)	37	3	13	16
20	Punjab & Haryana	64	21	85	48	5(9%)	53	16	16	32
21	Rajasthan	38	12	50	38	0(0%)	38	0	12	12
22	Sikkim	3	0	3	3	0(0%)	3	0	0	0
23	Telangana	32	10	42	26	4(13%)	30	6	6	12
24	Tripura	4	1	5	3	1(25%)	4	1	0	1
25	Uttarakhand	9	2	11	9	0(0%)	9	0	2	2
	Total	846	276	1122	682	85(11%)	767	164	191	355