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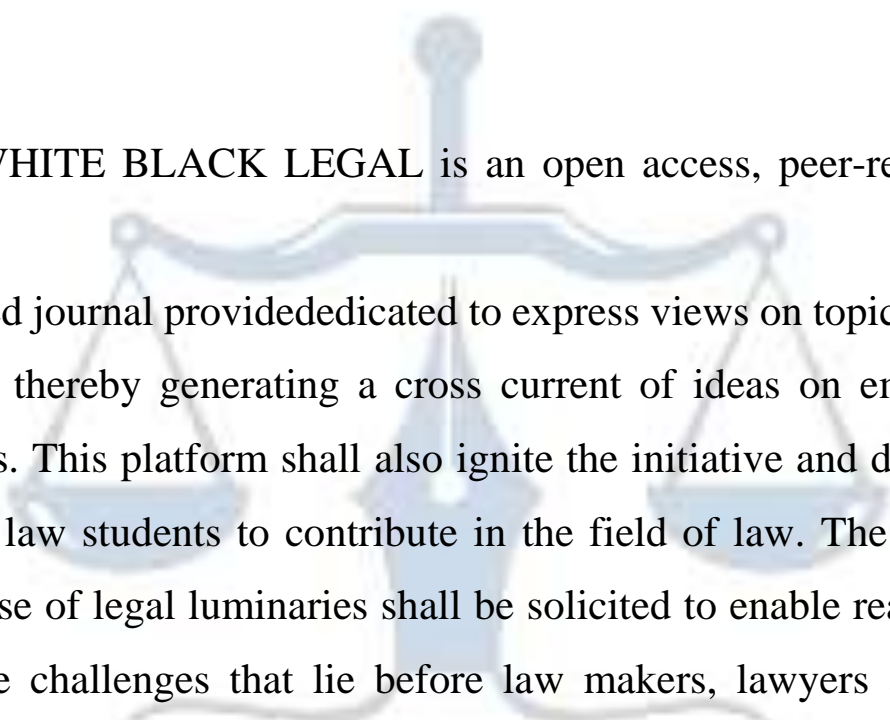


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ABOUT US



WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal providededicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

JUSTICE DELAYED: IDENTIFYING CAUSES AND EXPLORING REMEDIES FOR BACKLOGGED COURTS

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Abstract:

The phenomenon of delayed justice in India is a critical problem, marked by a large number of pending cases that erode public trust in the judicial system. The delay may be ascribed to several causes, such as repeated adjournments based on weak justifications, difficulties with substituted service, procedural alterations that lengthen the legal process, delays caused by the prosecution, and the prolonged appeals and revisions procedure. Furthermore, the insufficiency of proper infrastructure and the involvement of practicing attorneys in prolonging conflicts aggravate these concerns to a greater extent.

Keeping in mind the difficulties the paper explores the range of solutions that might be used. Lok Adalats and Alternate Dispute Resolution (ADR) processes provide effective options for resolving conflicts, while the tactical use of affidavits may expedite legal proceedings. Implementing stringent time constraints for various phases of legal proceedings, maximizing the ratio of judges to cases, and establishing precise deadlines for presenting arguments may greatly enhance the administration of legal cases. Furthermore, it is essential to improve the efficiency of delivering legal notices in order to ensure prompt communication. The implementation of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) offers a promising solution by establishing a contemporary legal structure that aims to accelerate investigations and trials, thereby promoting a more proactive and effective judicial system that emphasizes prompt justice for every individual.

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Introduction

The magnitude of the backlog of cases in the Indian courts is considerable. The jurists, as well as the legal fraternity, have extensively examined, evaluated, and repeatedly discussed the problem of delays in resolving cases.³ “Due to the lack of prompt execution of justice, individuals convince themselves that justice does not exist”. In 1871, James Anthony Froude, an American intellectual, made the same quotation⁴. The tradition of tardiness in justice is not a recent concept. The apex Court in its statements on several occasions, voiced its concern about the state of the legal system in the nation, stating that it is close to collapsing. The arrears are placing significant strain on our justice system.

By 2024, the cumulative number of unresolved cases across all categories and levels exceeded 51 million or 5.1 crores. This figure includes more than 180,000 court cases that have been waiting for over 30 years in District and High courts⁵. As of 2024, more over 87% of the total 5.1 crore cases, specifically 4.5 crore cases, remain pending in district courts. The government is the largest litigant, responsible for sponsoring 50% of the outstanding lawsuits.

Reasons for the Delay:

The primary causes for the delay in resolving cases include the twin explosion of population and legislation which lead to a significant rise in the number of cases being brought to courts and tribunals, hastily enacted flawed legislation, arbitrary administrative directives, heightened awareness of individual rights, and litigants' inclination to take risks due to the availability of multiple avenues for appeals and revisions as stipulated by the law are some of the reasons for delay but the most prominent of them are as follows:

Adjournments based on flimsy reasons

The idea of a 'next date' appears to be the primary reason for the delays. The adjournments are given without any justification. During normal proceedings, adjournments demonstrate the

³ *Access to justice: Indian Supreme Court's backlog is 'serious issue.'* (n.d.). <https://www.ibanet.org/Access-to%20justice-Indian-Supreme-Courts-backlog-is-serious-issue>

⁴ *James Anthony Froude quotes (Author of the reign of Mary Tudor).* (n.d.). https://www.goodreads.com/author/quotes/6696961.James_Anthony_Froude

⁵ Wikipedia contributors. (2024, September 4). *Pendency of court cases in India.* Wikipedia. https://en.wikipedia.org/wiki/Pendency_of_court_cases_in_India#:~:text=In%202024%2C%20the%20total%20number,district%20courts%20as%20of%202024.

unique nature of a court⁶. The procedural guidelines include precise information about adjournments and emphasize that they should only be granted in extreme situations. The codes impose penalties, which may be severe, for delaying the hearing. However, the cases are postponed for weak reasons mostly presented by the attorneys. The exclusions specified in the codes have transformed into the established regulations.

Palkhiwala expressed similar sentiments in 1987. The primary responsibility lies with the legal profession. We often request adjournments based on trivial or weak reasons. If the judge is not willing to issue adjournments easily, he becomes very disliked. I believe it is the responsibility of the legal profession to ensure that it collaborates with the court to guarantee the prompt and efficient administration of justice. It is the one obligation that we are completely unaware of. An adjournment is the act of postponing a planned hearing to a future date in the context of the judiciary. It is founded upon the fundamental tenets of "natural justice" and "fairness". The notion of 'natural justice' mandates that all sides be given a fair opportunity to be heard, whereas 'fairness' requires an equal opportunity for both parties. Order XVII of the Civil Procedure Code, 1908 outlines the guidelines that courts must adhere to when presented with petitions for adjournment⁷. The rule stipulates that a party cannot seek an adjournment, unless they are faced with circumstances that are outside their control. Lawyers sometimes utilize this clause by making false or exaggerated assertions of "uncontrollable circumstances" in order to obtain adjournments, resulting in deliberate delays for strategic purposes.

Frequent postponement requests in courts contribute to the backlog of cases for many reasons. In the case of *Gayathri v M. Girish*, Justice Dipak Misra emphasized that litigants often request adjournments as if they had an inherent entitlement to do so, without considering the gravity of the situation or the court's processes⁸. This demonstrates a clear and disrespectful contempt for the legal process.

The widespread practice of granting many adjournments has greatly contributed to the

⁶ Mittal, H., Mishra, V., & Admin. (2024, August 6). *Critical Analysis of the Supreme Court's Adjournment Reform*. NLIU Law Review. <https://nliulawreview.nliu.ac.in/blog/critical-analysis-of-the-supreme-courts-adjournment-reform/>

⁷ Government of India. (n.d.). THE CODE OF CIVIL PROCEDURE, 1908. In *THE CODE OF CIVIL PROCEDURE, 1908*. <https://www.indiacode.nic.in/bitstream/123456789/2191/1/A1908-05.pdf>

⁸ Mittal, H., Mishra, V., & Admin. (2024, August 6). *Critical Analysis of the Supreme Court's Adjournment Reform*. NLIU Law Review. <https://nliulawreview.nliu.ac.in/blog/critical-analysis-of-the-supreme-courts-adjournment-reform/#:~:text=Justice%20Dipak%20Misra%20highlighted%20in,disregard%20for%20the%20court%20proceedings>

accumulation of pending cases. In response to this matter, the Supreme Court implemented a new set of instructions for the distribution of adjournment letters via its circular issued on February 14, 2024⁹.

Substituted Service

The concept of Audi alteram partem states that no procedural regulation may restrict it, since doing so would contradict the fundamental premise of natural justice. It is observed that a significant portion of the court staff is involved in serving the summons and ensuring the presence of the opposing party in court. The Civil Procedure Code also enables alternate service of summons for individuals who avoid to be served. It is observed that during this first phase, it is frequently necessary to comply with the need of attending the other party for many months, and rarely for several years. The legislation prohibits the provision of the service unless it is offered by the code and via the traditional bailiff battalion. It is now necessary to establish a distinct courier service for the court, which would be responsible for ensuring the presence of the opposing party or allowing the applicant to guarantee the delivery using their own trustworthy ways. Often, summonses are not successfully delivered to the intended recipient on the first attempt due to trivial reasons such as an erroneous address, incomplete name, or inability to locate the person. The Civil Procedure Code allows for substituted service, however it requires the petitioner to submit an affidavit in order to secure such an order. When the evidence clearly supports a certain conclusion, it is very illogical to insist on submitting a sworn statement. The presiding officers are very focused on following proper procedures and so refuse to consider petitions that do not include an affidavit. It causes significant delays at this initial stage. The scenario is also identical in the appellate courts, and it seems that no one is taking it seriously.

Amendments and delays:

The Indian legal system is renowned for its thorough effort to achieving justice, yet a significant element that leads to delays is the frequent modification of petitions. Pleadings are the official written declarations made by the parties involved in a legal case, which outline the specific matters that will be decided upon by the court. Although updates are essential for rectifying mistakes and incorporating fresh information, they may often result in substantial delays in the judicial process.

⁹ https://main.sci.gov.in/pdf/cir/14022024_054518.pdf

Indian courts, in accordance with Order VI, Rule 17 of the Civil Procedure Code (CPC), 1908, permit modifications to pleadings in order to prioritize the resolution of cases based on their substance rather than procedural technicalities¹⁰. The purpose of this clause is to ensure that all sides have an equitable opportunity to submit their comprehensive arguments. Nevertheless, litigants often abuse it as a tactic to intentionally prolong legal procedures. Amendments are sometimes requested during the latter phases of a legal dispute, which necessitates the courts to review the case again, reassess the evidence, and perhaps hold new hearings.

The Supreme Court of India has often emphasized concerns over the exploitation of this clause, stressing that modifications should not be allowed to result in unwarranted delays or bias against the other side. However, the substantial number of cases in Indian courts worsens the situation. Every request for a change necessitates extra hearings and court resources, exacerbating the congestion in the system and causing further delays in the administration of justice.

This scenario erodes public trust in the efficacy of the court. The repeated revisions may significantly impede progress, especially in urgent instances or situations where parties have been waiting for a resolution for extended periods of time.

Prosecution and delay:

The prosecution plays a crucial part in the criminal justice system, but, inefficiencies and deficiencies in prosecutorial tactics sometimes lead to delays in the settlement of cases in India. The 239th Report of the Law Commission of India emphasizes several structural problems in the prosecution process that worsen these delays, requiring extensive changes to achieve a more effective court¹¹.

An important element is the insufficient preparation and investigation conducted by the prosecution. Prosecutors have the duty of gathering evidence, conducting witness interviews,

¹⁰ *Code of Civil Procedure - Chapter 5 - Amendment of Pleadings, etc.* (n.d.). <http://student.manupatra.com/Academic/Abk/Code-of-Civil-Procedure/Chapter5.htm#:~:text=The%20purpose%20of%20Order%20VI,laid%20down%20by%20Supreme%20Court.>

¹¹ Government of India, Shah, A. P., Kapoor, S. N., Sharma, M. C., Mehra, U., Meena, N. L., Malhotra, P. K., Gopal, G. M., Venkataramani, R., Tyagi, Y., Mani, B. N., Singh, G., Sharma, P., Upadhyay, A. K., Mishra, S. C., & Singh, V. K. (2014). Arrears and Backlog: Creating Additional Judicial (wo)manpower. In N. L. Meena, *Report*. <https://cdnbbsr.s3waas.gov.in/s3ca0daec69b5adc880fb464895726dbdf/uploads/2022/08/2022081643.pdf>

and constructing a convincing legal argument. Inadequate preparation results in many adjournments due to the requirement for extra time to collect essential evidence or call upon witnesses. The Law Commission underscores the need of conducting prompt and comprehensive investigations in order to prevent avoidable delays.

Excessive caseloads often lead to delays in the prosecution process. Prosecutors overwhelmed by a high caseload have difficulties in distributing enough time and funds to each case, leading to delays in bringing charges, producing evidence, and holding trials. In the case of *Hussain and Anr vs. Union of India*¹², the Supreme Court emphasized the negative consequences of these delays on the rights of the accused, highlighting the need of an effective prosecuting system.

Effective collaboration between law enforcement and the legal team is another crucial aspect. Collaborative inefficiencies may cause delays in the investigation and filing of charge sheets. The Law Commission's study highlights that inadequate communication or delayed information sharing often leads to incomplete or inaccurate paperwork, requiring additional time to address these problems.

The prosecution's strategic moves, such as appealing bail rulings, obtaining adjournments, or moving cases to higher courts, may contribute to the lengthening of judicial procedures. Although sometimes essential, these acts have the potential to be abused in order to prolong the trial process. In the case of *State of Maharashtra vs. Dr. Praful B. Desai*¹³, the Supreme Court highlighted the need of prompt trials and condemned unwarranted postponements that cause delays.

Appeals and revisions:

The Indian court system is well recognized for its sluggishness, since cases often endure for extended periods, perhaps spanning decades. The primary reason for this delay is the substantial number of appeals and amendments allowed under the legal framework. The appeals procedure enables parties to contest rulings at several tiers of the judicial system, ranging from lower courts to the highest court in the land, the Supreme Court¹⁴. Every level of

¹² (2017) 5 SCC 702

¹³ AIR 2003 SUPREME COURT 2053

¹⁴ *Jurisdiction | Supreme Court of India | India*. (n.d.). <https://www.sci.gov.in/jurisdiction/>

appeal brings about a fresh stage of legal proceedings, often extending the time it takes to reach a final decision on cases.

The Law Commission of India along with other judicial organizations have emphasized the inefficiencies resulting from the existence of multiple appeals. An example of this is the 245th Report of the Law Commission, which highlighted the need of restricting the number of appeals in order to speed up legal procedures. Furthermore, the data provided by the Supreme Court itself reveals a significant accumulation of cases, with more than 60,000 unresolved issues in recent years. The backlog is exacerbated by the frequent filing of revisions and appeals, resulting in both delayed dispensation of justice and an undue strain on the system.

It is crucial to reform the appellate system by implementing more stringent criteria for allowing appeals and accelerating the process of reviewing cases. This would effectively decrease delays and guarantee prompt delivery of justice. In the absence of these changes, the Indian court would continue in grappling with inefficiency and protracted litigation, therefore eroding the fundamental notion that delayed justice is tantamount to denied justice.

Lack of Infrastructure:

The inadequate infrastructure in Indian courts is a major factor contributing to the delays in the justice delivery system. The judiciary's proper operation is hindered by inadequate physical infrastructure, characterized by a shortage of courtrooms, substandard upkeep, and a lack of contemporary equipment. Courts sometimes suffer from a lack of essential facilities such as enough seats, operational computers, and adequate personnel, resulting in delays in legal processes and paperwork.

Various reports, including the 230th Report of the Law Commission of India, have consistently emphasized the need for improved infrastructure¹⁵. The National Court Management Systems (NCMS) Committee also emphasized that infrastructural problems are a crucial issue requiring immediate action. Notwithstanding these suggestions, the pace of advancement has been sluggish.

¹⁵ *LAW COMMISSION'S REPORTS | Law Commission of India | India*. (2023, June 20). <https://lawcommissionofindia.nic.in/https-cdnbbsr-s3waas-gov-in-s3ca0daec69b5adc880fb464895726dbdf-uploads-2023-06-2023060150-pdf/>

Recent legal precedents also demonstrate similar problems. In the case of *Imtiyaz Ahmad v. State of Uttar Pradesh*¹⁶, the Supreme Court issued a directive to the Law Commission, instructing them to provide strategies for addressing delays in the legal system, with a particular focus on improving infrastructure. In addition, the *Hussain and Another v. Union of India* (2017) case emphasized the need of enhancing court infrastructure in order to guarantee expeditious trials.

The objective of the e-Courts initiative is to resolve these problems by converting court documents and procedures into a digital format. Nevertheless, it is crucial to prioritize the enhancement of physical and technical infrastructure in order to minimize delays and increase the efficiency of the Indian court system. The objective of achieving prompt justice would remain unattainable without significant investment and changes in this domain.

Role of Practicing Lawyers:

"Practicing advocates are the primary catalysts for the delay in the administration of justice."¹⁷ The function of lawyers is crucial in the justice delivery system. The competence and commitments of these legal professionals have the potential to bring about a significant transformation in the whole system. Unfortunately, they play a significant role in causing delays in the justice delivery system. There are many explanations for this behavior. Firstly, lawyers tend to lack precision in their arguments and instead focus on impressing their clients with extended speeches. Secondly, they often request adjournments for trivial reasons. The causes vary from the passing of a distant cousin to family festivities.

Each delay incurs additional costs for the court and the litigants, while the lawyers are compensated for their time and presence. Frequently, attorneys are occupied in a different courtroom. They have undertaken a greater number of cases than they are capable of managing, resulting in frequent requests for adjournments. Furthermore, it is often seen that attorneys fail to adequately prepare their cases. Improving the preparation of the brief is certain to enhance the effectiveness of the system.

¹⁶ AIR 2012 SUPREME COURT 642

¹⁷ REFORMS IN THE ADMINISTRATION OF JUSTICE: BEATING THE BACKLOG on JSTOR. (n.d). [www.jstor.org. https://www.jstor.org/stable/45163064](https://www.jstor.org/stable/45163064)

Furthermore, it is a prevailing practice for attorneys to often engage in strikes¹⁸. The causes for such behavior might vary, ranging from misconduct against colleagues both inside and outside the court, to the enforcement of certain legislation. An example of a strike by attorneys is their opposition to the government's decision to implement a modification in the Civil Procedure Code. Unfortunately, this was quite regrettable given the primary intention of these revisions was to reduce the amount of time it takes to resolve cases. Nevertheless, the ruling by the Supreme Court in the case of *Harish Uppals v Union of India*¹⁹, which said that lawyers do not have the right to go on strike or call for a boycott, not even a symbolic strike, would undoubtedly deter lawyers from going on strike unless they have a compelling reason. Gandhiji has consistently shed light on these matters, as he said, "Throughout my legal career, I never deviated from the principles of absolute truth and honesty." To spiritualize the practice of law, it is crucial to prioritize the service of your nation above personal financial gain. Unfortunately, many lawyers now prioritize their own financial interests. resides in their selection of priorities. Every every instance has significance and requires attention.

SUGGESTIONS AND REMEDIES

As we are aware of the fact that Indian court is now facing substantial challenges in expeditiously resolving cases, a predicament that contradicts the fundamental principles of justice. Prompt and equitable dispensation of justice is not only a concept to strive for; it is an essential entitlement. To successfully address these delays, it is crucial to implement a variety of initiatives, including structural changes and procedural improvements. This section of the article examines several techniques, such as the involvement of Lok Adalats, Alternate Dispute Resolution (ADR), affidavits, time constraints, judges' litigation ratio, designated time for arguments, conciliation, enhancements in the serving of summons, and the participation of retired judges. In addition, we will analyze the recently announced Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) and its possible influence on speeding the process of dispensing justice.

Lok Adalats and Alternate Dispute Resolution (ADR)

Lok Adalats and alternative dispute resolution (ADR) processes are helpful in alleviating the workload of conventional courts. Lok Adalats, created according to the Legal Services Authorities Act of 1987, serve as a forum for the peaceful resolution of disputes. These Adalats

¹⁸ Ex-Capt. Harish Uppal vs Union Of India & Anr AIR 2003 SUPREME COURT 739

¹⁹ AIR 2003 SUPREME COURT 739

play a crucial role in efficiently and economically settling issues, often related to small civil disputes and family concerns. The National Lok Adalat, conducted at regular intervals across India, has effectively resolved millions of cases, thereby substantially decreasing the backlog in conventional courts.

ADR techniques, such as mediation, arbitration, and conciliation, provide alternate methods for resolving conflicts without the need for prolonged court litigation. The methods of arbitration and conciliation are regulated under the Arbitration and Conciliation Act, 1996, which aims to facilitate private settlement of disputes. Mediation facilities, often affiliated with judicial institutions, promote private and less confrontational resolutions, resulting in time and resource savings. Well-known legal precedents, such as the Salem Advocate Bar Association v. Union of India (2003) case, have supported the use of Alternative Dispute Resolution (ADR) as an important method for lowering the backlog of litigation.

Use of Affidavits

A judicious use of affidavits might expedite judicial procedures. Affidavits, which are legally binding declarations of factual information, aid in accelerating the process of presenting evidence by eliminating the need for needless oral testimony. Affidavits are promoted by the Code of Civil Procedure (CPC) and several court decisions as a means to streamline and expedite trials²⁰. By requiring affidavits for preliminary matters, courts may substantially reduce the duration of hearings.

Fixing time Limits

Implementing stringent time constraints for different phases of legal proceedings is crucial to avoid excessive delays. The CPC has implemented time limits for many stages of a trial, including the submission of written statements, the formulation of legal problems, and the conclusion of evidence presentation. In the case of Anil Rai v. State of Bihar²¹, the Supreme Court highlighted the importance of delivering decisions within a certain timeframe. The court directed that verdicts should be announced promptly following the completion of arguments.

²⁰ [advocatekhoj.com. \(n.d.\). Affidavits | Code of Civil Procedure, 1908 | Bare Acts | Law Library | AdvocateKhoj. Copyright 2024, advocatekhoj.com. https://www.advocatekhoj.com/library/bareacts/codeofcivilprocedure/orderXIX.php?Title=Code%20of%20Civil%20Procedure,%201908&STitle=Affidavits](https://www.advocatekhoj.com/library/bareacts/codeofcivilprocedure/orderXIX.php?Title=Code%20of%20Civil%20Procedure,%201908&STitle=Affidavits)

²¹ AIR 2001 SUPREME COURT 3173

Judges' Litigation Ratio and Fixed Time for Arguments

It is essential to maintain an ideal ratio of judges to litigation in order to effectively handle cases. A high caseload per judge leads to slower rates of case resolution. In its 245th Report, the Law Commission of India suggested raising the number of judges in order to maintain a reasonable workload for each judge²².

In addition, implementing time constraints for arguments might help avoid lengthy hearings. It is essential for courts to rigorously uphold the designated time limits for oral arguments, in order to prevent cases from prolonging indefinitely. This approach is already widespread in some jurisdictions and should be universally implemented across India.

Improvements in Service of Summons

Ensuring the prompt delivery of legal notices is a crucial element in preventing any unnecessary postponements. The conventional approaches of delivering legal notices can lead to substantial delays caused by logistical obstacles. The implementation of electronic serving of summons, as described in many revisions to the CPC, has shown potential in accelerating this procedure. The BNS 2023 also highlights the need of updating the process of delivering legal notices to guarantee prompt communication and minimize delays in legal procedures²³.

Retired Judges role

Harnessing the knowledge and experience of retiring judges may greatly augment the capability of the judiciary. Retired judges may be designated to preside over certain types of disputes, including arbitration, mediation, and Lok Adalats. Their extensive experience and specialized knowledge may accelerate the settlement of cases, therefore enhancing the general effectiveness of the court system. Appointing former judges to special courts or tribunals helps expedite the resolution of pending cases and guarantee prompt dispensation of justice.

²² Government of India, Shah, A. P., Kapoor, S. N., Sharma, M. C., Mehra, U., Meena, N. L., Malhotra, P. K., Gopal, G. M., Venkataramani, R., Tyagi, Y., Mani, B. N., Singh, G., Sharma, P., Upadhyay, A. K., Mishra, S. C., & Singh, V. K. (2014). Arrears and Backlog: Creating Additional Judicial (wo)manpower. In N. L. Meena, *Report*. <https://cdnbbsr.s3waas.gov.in/s3ca0daec69b5adc880fb464895726dbdf/uploads/2022/08/2022081643.pdf>

²³ Editor. (2024, April 10). *Key Highlights of the three new criminal laws introduced in 2023 | SCC Times*. SCC Times. <https://www.sconline.com/blog/post/2023/12/31/key-highlights-of-the-three-new-criminal-laws-introduced-in-2023/>

Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) a beacon of Hope:

The recently implemented Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), is an all-encompassing legal framework designed to update and simplify the Indian criminal justice system. The BNSS incorporates many measures particularly formulated to accelerate the dispensation of justice and alleviate the accumulation of pending cases in Indian courts.

One important feature is the need for studies and trials to be completed within a certain timeframe. According to Section 173(1) of the BNSS, police investigations must be concluded within a certain timeframe, usually ranging from 60 to 90 days, which varies based on the seriousness of the crime. This measure minimizes prolonged delays during the investigation phase and guarantees a more expeditious progression of cases to the trial stage.

The BNSS also prioritizes the use of technology to improve the effectiveness of the judicial system. Section 275 permits the use of video conferencing to record evidence, therefore decreasing the need for actual attendance and limiting adjournments caused by logistical problems. Sections 161 and 167 introduce electronic filing of papers and digital case management systems with the goal of making court proceedings more efficient and reducing the time required for administrative tasks.

In addition, the BNSS advocates for the use of alternate conflict resolution processes. Section 320 promotes the use of plea bargaining and mediation for certain types of crimes, resulting in expedited case settlement without the need of lengthy trials.

The Act also prioritizes enhancing the delivery of legal notices. Section 61 implements electronic summons and notifications, which are anticipated to improve the efficiency of the process and decrease delays caused by conventional serving methods.

In addition, the BNSS has provisions for the selection of specialized judges and expedited courts. Sections 19 and 20 provide the government the authority to create special courts to handle certain types of cases, such as those committed against women and children, in order to ensure quicker resolution.

Ultimately, the Bharatiya Nagarik Suraksha Sanhita, 2023, prioritizes efficient procedures, the use of technology, and the use of alternative methods for resolving disputes. This

comprehensive framework aims to accelerate the delivery of justice and alleviate the accumulation of pending cases in Indian courts. These steps are crucial in guaranteeing a more effective and prompt judicial system.

Conclusion

To tackle the delays in the Indian legal system, a comprehensive and diversified strategy is necessary. Implementing measures to enhance the effectiveness of Lok Adalats and alternative dispute resolution processes, imposing stringent time constraints, enhancing the ratio of judges to litigation cases, and harnessing the knowledge and skills of retired judges are crucial actions to take. In addition, using technological advancements to modernize the process of serving summons, as outlined in the BNSS 2023, may greatly accelerate the delivery of justice. By following these steps, India may make significant progress towards fulfilling the goal of providing prompt justice to all its residents.



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