

Supreme Court wants faster judgements from high courts. Shouldn't it do the same?

Apex court has set three-month timeline for high courts to pronounce reserved judgements. But it also raises an awkward question: why did the apex court stop at the high courts?

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Suppose a litigant whose case has already been heard, argued and reserved. The courtroom battle is over. However, the real ordeal is yet to come. Weeks become months. Months become years. The litigant is left with no decision or certainty.

On 29 May, the Supreme Court sought to confront this problem in *Pila Pahan vs State of Jharkhand*. Here, the court was confronted with petitions complaining of inordinate delay in pronouncement of judgements by high courts.

The High Court of Jharkhand's status report disclosed 56 matters, which had been heard between January 2022 and December 2024, but were awaiting pronouncement. However, after judicial scrutiny, the high court decided 75 criminal appeals in a week.

The Supreme Court was right to entertain this issue. It recognised that delay in pronouncing a reserved judgement is not merely a matter of docket management. It violates Article 21, because the right to life and personal liberty is not exhausted once a hearing is over. This led the apex court to draft some guidelines.

Under these guidelines, the high courts are expected to pronounce reserved judgements within a period of three months. Moreover, once a judgement is pronounced, it must be uploaded within 24 hours.

As stated by former British prime minister William E. Gladstone, "justice delayed is justice denied", and thus the court tried to intervene by transforming the culture of delay into a system of accountability.

This intervention is welcome. But it also raises an awkward question: why did the apex court stop at the high courts?

This question is not theoretical. India has lived with the consequences of delay at the apex court too. As of [now](#), more than 96,000 cases are pending in the Supreme Court. Moreover, the judge-to-population ratio is of just 22 judges per million people.

The troubling problem is not the pendency itself, but the silence after hearing.

In *Anil Rai vs State of Bihar*, the Supreme Court itself recognised the culture of inordinate delay and set out a model for judicial promptness for high courts. However, it is difficult to explain why the principle should apply only to high courts and not to the Supreme Court.

For example, in the 2G spectrum case, judgement was reserved in late 2010, and delivered after an astonishing delay of 14 months. In *Suresh Kumar Koushal vs Naz Foundation*, the judgement's pronouncement was delayed by 624 days. Furthermore, the Supreme Court's own website does not maintain a publicly accessible mechanism through which it can be ascertained how many judgements remain reserved, or the likelihood to be pronounced.

The court's own language in *Baaji Baliram Mupade vs State of Maharashtra* strengthens this critique. The court regretted that earlier guidance on prompt delivery had been ignored and observed that delay in pronouncement can defeat the right of an aggrieved party to challenge the decision effectively.

Of course, there is a practical difference. The Supreme Court cannot be supervised by a higher court. The monitoring mechanisms devised for high courts cannot be simply transplanted onto the apex court. There is no external institutional actor to enforce a time limit against the Supreme Court. However, this does not mean there exists no constitutional problem. It only means that the solution must be one of self-regulation rather than external compulsion.

The Supreme Court must self-regulate to disclose date of reservations, pronouncement, and uploading of a judgement. The website must be updated with automatic intimation to the parties concerned.

Now, this is not an attack on the court. It is a question of consistency. If judicial delay undermines trust in the legal system, then the highest court in the land is ought to be the first institution willing to subject itself to the discipline it has now imposed on others. If transparency is a constitutional virtue for high courts, it should not become optional at the apex level.

Pila Pahan is a welcome step. But it also makes one ponder about the existing judicial culture. The court has fixed one problem of delay. The harder

question is whether it is willing to ask itself to move with the same urgency it now demands from others.

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