

## **High Court faces shortage of 458 judges, says latest data**

The High Courts face a shortage of 458 judges, according to a latest Law Ministry data which comes at a time when the judiciary and the government are divided on various clauses of a document which will guide future appointment of members to the higher courts.

According to the statistics, against the approved strength of 1079 judges, the 24 high courts are functioning with 621 judges — a shortfall of 458.

The June 1 data comes just a day after the Supreme Court Collegium returned to the government the draft of the revised Memorandum of Procedure (MoP) questioning the government's right to reject its recommendation on the ground of national interest.

The collegium had on May 30 returned to the government the revised MoP — a document which guides appointment of judges to the Supreme Court and the 24 high courts — suggesting changes in certain clauses.

The clause on right to reject a recommendation on national interest is contrary to the current practice where government is bound to accept a recommendation by the collegium, comprising four senior-most judges of the Supreme Court and the CJI, if it reiterates the same.

The revised MoP further provides that once the Centre has rejected a recommendation it will not be bound to reconsider it even after reiteration by the collegium.

The government is likely to take at least three weeks to respond to the collegium on its “observations” on the MoP, sources said.

As per the data, the Allahabad High Court has the maximum number of 81 vacancies against the sanctioned strength of 160 judges.

The Punjab and Haryana High Court and Madras High Court come second with 37 vacancies each, the data states.

The data also states that seven high courts — Andhra Pradesh/Telangana, Allahabad, Punjab and Haryana, Kerala, Madhya Pradesh, Patna and Rajasthan — are functioning with acting Chief Justices.