

S. K. Singhi, (B.Com[Hons.], ACS, LLb) Advocate is the founder/ proprietor of M/s S.K.Singhi & Co., Advocates, Kolkata, a full service young law firm established in November 2009. He is on the panel of Arbitrators of ICA, FICCI, BCCI. He is involved in various domestic and international arbitration proceedings. Besides representing his client in the arbitration proceedings, Mr. Singhi is conducting various arbitrations as Sole Arbitrator. Mr. Singhi prior to getting enrolled as an Advocate and starting his own law firm, was a practicing Company Secretary for nearly five years.



Permanent Bench of Apex Court in Kolkata

The term “Tareek peTareek, Tareek peTareek” has constantly been used as a synonym for the Indian Judicial System for quite a long time. The rate of

pendency of cases in the Indian courts has been talk of the town for long. At present going by the estimates more than Three Crores cases are pending in the Indian Courts. A bird’s eye view of the pending

cases in the High Courts of various States as on 31st march 2014 is as follows:

The figure corresponds to the previous financial year of 2013-14 and it has increased since then. A deeper analysis of the figures reveals an increase in the number of pendency cases to as high as 36.36% in some of the states. Some of significant increases in the pendency of cases are seen in the States of Sikkim, Meghalaya Assam etc.

PENDENCY OF CIVIL CASES AS ON 31.03.2014

Name of the High Court	Pendency of civil cases at the end of the quarter
Allahabad	695431
Andhra Pradesh	201425
Bombay	299931
Calcutta	230317
Chhattisgarh	29420
Delhi	49000
Gujarat	51384
Gauhati	33534
Tripura	4743
Meghalaya	1114
Manipur	3761
Himachal Pradesh	54015
Jammu & Kashmir	87794
Jharkhand	38001
Karnataka	179379
Kerala	99573
Madhya Pradesh	174665
Madras	490383
Orissa	168794
Patna	79896
Punjab & Haryana	200549
Rajasthan	244020
Sikkim	95
Uttarakhand	15269
Total	3432493

ESTABLISHMENT OF PERMANENT BENCH OF SUPREME COURT

The Government is on its recourse to reduce the number of litigations and the pendency of cases in the country. Recently the Law commission proposed a modified bill being “The Commercial Divisions and the Commercial Appellate Division of High Courts and the Commercial Courts Bill, 2015” on 29th day of January 2015” for establishment of commercial courts division in the High Courts which would have exclusive jurisdiction with regard to commercial disputes where the amount involved is greater than the threshold. In an attempt to further reduce the pendency of cases in the Courts, “Supreme Court (Establishment of a Permanent Bench at Kolkata) Bill, 2015” was introduced in the Rajya Sabha on the 13th of March 2015, a further step being considered by the Government for reducing the pending litigations in the country. The highlights of the bill are as follows:

- Establishment of permanent bench of Supreme Court at Kolkata.
- The Bench will comprise of atleast 5(Five) number of Judges.

- The bench shall have jurisdiction with respect to the following states:

West Bengal	Odisha
Jharkhand	Bihar
Chattisgarh	Sikkim
Meghalaya	Assam
Nagaland	Manipur
Arunachal Pradesh	Tripura

NECESSITY AND REASON OF SUCH ESTABLISHMENT

At this juncture, considering the phase our country is going through such an establishment would be a helping hand to the judicial system. Not only this it would also be beneficial for the litigants and common people at large. The reasons and the necessity of such an establishment can be enumerated as follows:

1. Kolkata has an advantage of a strategic location. Located on the eastern part of India, it can easily be reached from states

located in northeast, southeast, central and eastern regions of India.

2. The litigants will be relieved from the burden of excess travel cost, logistic problems and keeping track of their cases including constant follow ups.
3. The burden of pending cases in the Courts will be reduced to a great extent resulting in reducing the ultimate burden of the Supreme Court at Delhi.
4. There has been a substantial increase in the number of cases pending in the Country. Out of an existing 3,00,00,000 cases plus pending in various courts, West Bengal itself accounts for about 3,50,000 cases. Moreover previous financial year data reveals an increase in the pendency of cases in various North Eastern States comprising of Sikkim Manipur, Meghalaya, Assam amongst the other. In this scenario it seems justifiable establishing a permanent bench of Supreme Court in Eastern India.

CONCLUSION

Overall it's a welcoming move by the government, for considering establishment of a permanent bench of Supreme Court in Kolkata. This move is in sync with the government's vision of delivering speedy justice and reducing litigations while promoting the Indian economy. The locational advantage that Kolkata possesses makes its easily assessable from a vast region of Indian continent. This in turn would provide relief to the litigants and would reduce the ancillary expenditure that they have to incur while pursuing the matter at present in the Supreme Court. However, it will also have a financial impact on the Consolidated Fund Of India. It is estimated that there would be a recurring expenditure to the tune of Rupees Ten Crores per annum and a non-recurring expenditure to the tune of Rupees Fifty Crores per annum with such establishment. [W](#)

