



# EVALUATING EFFECT OF PENDENCY OF CASES ON DISPENSATION OF JUSTICE IN DISTRICT JUDICIARY OF PAKISTAN

**Dr. Saima Tabassum**

Ph.D (HRM), M.S (Mgt. Sci.), M.B.A (Finance)  
Chairperson, Department of Business Administration,  
Sindh Madressatul Islam University, Karachi, Pakistan.

**Shahid Hussain Kamboyo**

M.Phil (Public Policy), M.Sc (Governance)  
PhD Scholar, Department of Public Administration,  
University of Sindh, Jamshoro, Pakistan.

**Imran Ali Mangrio**

L.L.M., Ph. D Scholar, School of Law,  
University of Karachi, Karachi, Pakistan.

**Imdad Hussain Siddiqui**

M.S (Public Administration), M.P.A(HRM), L.L.B,  
PhD Scholar, Hamdard Institute of Management Sciences (HIMS),  
Hamdard University Karachi, Pakistan.

## ABSTRACT

*Under the governance system of modern democracy, the duty of dispensation of justice is entrusted to institution of judiciary. In our judicial system, district courts are the first formal forum of justice where 80% people bring their cases for adjudication, but unfortunately it has been unable to cater the needs to provide justice in time due to many issues one of them is pendency. This paper also takes into account different factor causing Pendency like non-cooperation of other stakeholders in the system of administration of justice i.e., lawyers, police and jail administration etc. Furthermore, different ways and means have also been suggested to minimize the pendency so that expeditious dispensation of justice can be ensured to public at large.*

*The Research was done by developing a hypothesis and after operationalization of hypothesis it was tested with statistical tools and techniques to get results. Population of study was infinite therefore the required sample of 245 people from five categories 95 litigants, 75 lawyers, 25 Judges, 25 Court administrative staff and 25 Law enforcement agencies was selected through non-probability convenience sampling*

*technique. Five-point Likert scale was used to measure research variables. The study explored the insignificant relationship of pendency of case with dispensation of justice as both the variables were not mutually co related.*

**Key words:** pendency of cases, Dispensation of justice, District Judiciary

**Cite this Article:** Saima Tabassum, Shahid Hussain Kamboyo, Imran Ali Mangrio and Imdad Hussain Siddiqui, Evaluating Effect of Pendency of Cases on Dispensation of Justice in District Judiciary of Pakistan, *International Journal of Management (IJM)*, 12(2), 2021, pp 275-286.

<http://www.iaeme.com/IJM/issues.asp?JType=IJM&VType=12&IType=2>

## 1. INTRODUCTION

District judiciary is the backbone of judicial system where people bring their litigations for expeditious disposal, but District Judiciary fails to provide timely and quality justice to the people. The slow pace of dispensation of justice in District judiciary of Pakistan has given rise to unbridled crime rate and enhanced despondencies in people. It portrays the poor picture of the dispensation of justice at the end of District Judiciary. Most of the criminal are scot free and are causing terror in society due to lack of effective checks and balance and pendency of cases. About 1,826,642 (more than 1.8 million) cases are pending in whole country while 1,523,253 (more than 1.5 million) cases are only pending with the District Judiciary of Pakistan, (LJCP,2014) which constitutes about more than 80 % of total pendency. The ratio of pendency/backlog in District Judiciary is much higher. The situation is similarly given in neighboring country, where more than 30 million court cases are pending across India. While 200,928,04 cases are pending in Indian District Courts that constitutes about 70% of the total pendency. The total strength of judges in District Judiciary of India is about 15340 judges with 459 courts. District Courts of India needs 10 years to clear pending cases, (NJDG,2014). The workload on each judge of Indian District Court is about 1310 cases. The estimate time required for disposal of pending cases of district Judiciary of Pakistan (Net balance of case divided by per month disposal) to eradicate pendency assuming that no fresh cases are instituted, is about 6.875 (about 7) months which is not practically possible.

District judiciary is the initial step for dispensation of justice. Litigation starts at this level but unfortunately more than 80% cases are pending in district judiciary of Pakistan. Any comprehensive study regarding delays in Civil Justice in Lower Courts on dispensation of Justice in general and the Pakistani context in particular could not be found. Most of the studies conducted in the past tried to evaluate causes for delay in civil Justice in Lower courts of Pakistan by researchers Raza Ullah Shah, Shadi Ullah Khan & Sumera Farid (2014), but did not measure the effects of delays in Civil Justice in Lower Courts on dispensation of Justice in Pakistan. Furthermore, most of these studies were descriptive and literature based but none of the study had measured the impact of strength of judges in district judiciary of Pakistan on dispensation of justice empirically. This study helps to understand real relationship of cause and effects.

## 2. LITERATURE REVIEW

Pendency / backlog or delay is the major impediment in dispensation of justice and the greatest challenge before the judiciary. It erodes public confidence from the august institution of the judiciary. Delay can be defined as extra time (more than expected time) spent on disposal of case, (Kumar,2012). If justice is unworkable, then judiciary is helpless or disable, (Ayodele, Bonnie, 2004, p 63). It is not a problem of a single country, but almost every country is confronted with the same issue. At present more than 1.8 million case are still pending with Pakistani judiciary and about 300 million cases are pending with Indian courts. Usually, a civil

case takes 20 years for pronouncement of decision and 5 years more for execution of Court Orders (ICG,2008). The situation is worst in district courts where litigants come first to get the relief but unfortunately, they face delay that causes distress and anxiety. Although this issue has been discussed at large yet its reasons are still little known. After through study on delay or pendency, the researchers are of the view that it is a complicated and multi factored issue. Delay is the comprehensive term that covers a huge number of different issues that require different responses, (Feeley, 1983).

Cases take years or even decades to be decided. Majority of the people involved in cases are poor and they could hardly make both ends meet. The reckless attitude of courts has plunged them into further misery. In the culture of this area, the concept of joint family still exists where many families live together in one home. In such a case the number of dependents is always more than the earning hands. In most of the cases there is one or in some cases a couple more feeding hands in the families. Having acute opportunities to earn livelihood forces people to work as low paid labours. The people involved in cases are economically weakening with the lingering of their cases. Sometimes remain remaining undecided for many decades and even pass on to the next generations. The longer it takes to decide a case, the more the financial resources are consumed. Litigants have to pay hefty fees to the lawyers, arrange for their transportation, living and food of witnesses and other expenses associated with the case. People involved in cases have lesser resources to spend on other heads i.e., education of their children, health care and so on.

In Mehram Ali & others versus Federation of Pakistan, case, the Supreme Court of Pakistan gave observations regarding the delay/ pendency and the solution of the problem of Court-delay. The judgment further explains that establishment of new Courts or appointment of new Judges will not resolve the issue but the willingness of Judges to insist the other stakeholders to meet the deadline for concluding the trial. This effort will require the commitment of Judges. Delay in dispensation of justice can only be eliminated through better court management but not by creating new Courts and appointment of new Judges. It is up to Presiding Office of the Court to take effective measures under the law to tackle the issues, (PLD,1998, p 1445).

Nawaz in his article published in under caption Delay Reduction with effective court management has penned down the following reasons of delay/ pendency pointed out by Law Reform Commissions & Law Reform Committees (Nawaz, 2003, p 359),

- Frequent adjournments
- Shortage of Judicial Officers.
- Improper supervision
- inadequate process serving
- Improper work environment in the Courts.
- Non availability of conveyance to process servers.
- Inappropriate housing arrangement
- Improper libraries
- Improper facilities for record keeping.
- Improper in-service training of judges
- Dearth of administrative personnel and essential apparatus.
- Nonconformity of standard regulations
- Scarcity of resources to run the courts.
- Delaying tactics of investigators
- Nonappearance of witnesses
- Delay in authoring judgments.

- Time gaining strategy of legal fraternity and litigants.
- Immediate transfer and postings of judges
- Unappealing job environment of district judiciary.

It is constitutional responsibility that the pendency is diminished, and efforts must be put into practice to augment the disposal, (AIR 2002).

The pendency of cases affects the ordinary cases as well as those who knock the doors of the court to seek early relief. It is the biggest hindrance that needs to be tackled on urgent basis.

Pendency or backlog is a common issue being faced by majority of countries around the world. Justice Warren Burger, the then American Supreme Court Chief Justice, commenting on the issue of pendency in America observed that, it is not right that common people need black-dressed adjudicators, fine clothed legal fraternity, well decorated courts to decide their cases but they desire expeditious and inexpensive justice, (Sinha, 2004).

Justice K. G. Balakrishnan, former Chief Justice of India has also commented upon this issue being faced by Indian judiciary that the people's expectation from the judicial system will erode, due to the reason that delayed justice loses its importance, (Balakrishnan, 2007).

People's trust in the justice system is indispensable for upholding the freedom for a common man. There are three things that can devastate that trust and jeopardize to society when people believe that (Burger, 1984).

- incompetence and delayed justice will be insignificant.
- Courts cannot maintain their legal rights from fraud and over-reaching.
- The law cannot accomplish its primary purpose of protecting people.

It has been observed in 114<sup>th</sup> Report of Indian Law Commission, that uncontrollable pendency of cases in different courts from lower to top and ever-increasing operating cost have drawn attention of different segment of society including Bars, litigants, public activists, and legislature as well as the judges (LCI, 1986, p, 7).

The former Chief Justice of India Mr. Justice P.N. Bhagwati (1973 – 1986), said that it is a matter of pleasure that people still respect judicial institutions despite their deficiencies and handicaps. There is question mark on the effectiveness and capability of justice system to dispense prompt and inexpensive justice. The credibility of the institution of judiciary is under question due to huge heap of cases, delays, and expensive justice. The system will collapse if people trust is eroded from the justice administered to them. To maintain the trust and confidence of people, it should deliver quick and inexpensive justice, (Sabharwal,2007). In the context of Pakistan Mr. Justice Nasirul Mulk the then Chief Justice of Pakistan, presiding over the ceremony of new judicial year 2014-15 said that litigants face painful delays due to twin crises of backlog and delay, at all levels of judicial hierarchy. Judges are cognizant of the issue and try to evolve strategies to resolve it, (Malik,2015, September 9).

### **3. FACTORS OF DELAY/ PENDENCY**

There are different factors that contribute to pendency. Few of which are described below:

#### **3.1. Adjournments**

Adjournment can be defined as putting off case to next date of hearing so as to gain time. Unnecessary adjournments are main cause of delay of disposal of case, (Ghazi, 2006). Order XV11 Rule 1 of CPC confers discretionary powers upon the court to grant an adjournment on sufficient ground. But judges are least bothered to investigate the real cause of adjournment and sanction blanket adjournments, (Feeley, 1992). All the stakeholders of judicial system should work in collaboration to achieve the goal of speedy dispensation of justice, but lawyers seek adjournment to mint money and to enhance number of appearances in the courts. Already

overloaded judges allow adjournment to manage the situation. Moreover, complex procedure favors staff to earn money. Seeking unnecessary adjournments on different pretext is common in our courts, (Khawaja,2015). To ensure speedy justice, co-operation of bar is necessary for curtailing the practice of seeking adjournments, (Mulk, 2015).

### **3.2. Strikes of Lawyers**

Strikes of lawyers are also an important issue faced by district judiciary. It is duty of lawyers to assist courts in dispensation of justice. If they are on strikes, how the justice can be dispensed? It is responsibility of lawyers to protect the rights of clients but unfortunately, they find avenues to go on strikes. The reason of these strikes could be the misbehave with their colleagues inside or outside the court for enactment, (Agarwal,1978). This ever-enhancing ratio of strikes has mounted pressure upon the district judiciary to meet the targets. The Supreme Court of India in its Judgment *Harish Uppals vs Union of India* discourages the legal fraternity from strikes, boycotts or token strikes except strong reasons. In this case the Supreme Court of India had directed the lawyers to avoid strikes except strong grounds. The law is well explained that a lawyer cannot refuse to attend the Court on account of strikes / boycotts. Courts cannot adjourn the cases due to strikes but will proceed with the matter, (Kumar, 2012, p 18, AIR,2003). Supreme Court of India in *Mahabir's case*, held that the lawyer would be responsible for the results faced by litigants due to absence of lawyers in Courts on account of strikes / boycotts (Kumar,2012).

### **3.3. Shortages of Judges**

Delay in disposal of cases due to frequent transfer and posting of judges, (Iqbal,2006). Rotation and transfer of the judges also impedes the process of dispensation of justice because of the reason that new Judges have to repeat some already fulfilled requirements for his better understanding of the case, (Alam,2010). The survey pinpointed that most of the judicial officers were replaced without any substitute, (Khan & Khan, 2003). The basic cause of the issue of delay in disposal of cases is demand supply gape between court services and the demands of people, (Kakalik, et, al, 1990). Delay can be termed as so many cases chasing few Judges (Hamid,2007). As a human being, Judges also have a limited capacity to work (Blue, et, al,2008). The heavy workload per judge is also serious hindrance to bring improvements in processes. The other reasons of delayed justice are improper monitoring, inadequate process serving, absence of witnesses, non-provision of security to witnesses and frequent adjournments. These issues can be resolved only if the Presiding Officers gives proper time to deal with these matters (Nawaz,2004). National Judicial Policy 2009 urges the government of Pakistan to allocate necessary funds to support infrastructure, to increase number of judges and administrative staff and other facilities in courts to deal with the increasing rate of litigation, but the government fails to allocate sufficient funds.

### **3.4. Lack of Coordination between Courts and LEAs and Non-Production of Custody**

When the plaintiff files a case, the respondent party is informed about the fixation of the case through the process-serving mechanism (Khan,2004). But cases are often adjourned due to non-service of summons to the parties by the process serving agencies (PHC,2011). Process servers mix up with the parties and make unsuccessful and unproductive service. In most of the cases, the process servers make an incorrect report for non-availability of parties (LCI,1978). In case of negligence of process servers in effecting services, they must be taken to task by the Presiding Officer (Nawaz,2004). One possible reason for this irresponsible behavior on behalf of the process servers might be because of the lack of transport facilities and adequate amount of

TA/DA paid to them (LJCP,2003). Alternative service in the form of fax message and electronic mail (Email and SMS) can make the process serving mechanism efficient (LCB,2010).

#### 4. GOVERNMENT - THE BIGGEST LITIGANT

It is also the biggest hurdle in dispensation of justice when the government itself becomes a party in cases. A survey conducted in Karnataka; India shows that in most of the cases Government is itself a litigant. It says that the Government was litigant in 65% civil cases and 95% appeals of the government remained unsuccessful. In most of the cases, proper and speedy action has been taken by the government officials without giving time to aggrieved party that forces a person to file case. All Governments and their instrumentalities should take steps to resolve genuine cases at pre-litigation stage so that destitute people may not be forced to come to the courts unreasonably. This can lessen the burden of litigation.

Record of last six years for pendency of cases at district judiciary of Pakistan is as under.

**Table 1** Pendency of cases 2009 – 2014

Year	Pendency of cases
2009	1372812
2010	1131555
2011	1268264
2012	1287989
2013	1403330
2014	1523253

Since 2010, figure of pendency is increasing every year. If we evaluate the record of last six years of district judiciary of Pakistan, the rate of pendency will be about 3700 cases per day.

#### 5. HYPOTHESIS

**H1A.** There is relationship between dispensation of justice in District judiciary of Pakistan and pendency of cases.

Since the present study is of descriptive nature so it used positivist’s philosophy due to its advantages of economical collection of data, opportunity of control over research process and easily comparable data. Shajahan (2004) elaborated five stages of positivistic approach which are as follows:

- Development of hypotheses from the literature.
- Operationalization of hypotheses.
- Testing hypotheses with appropriate statistical tools and techniques
- Decision about hypotheses (Acceptance or Rejection of Hypotheses).
- Modifying the theory in light of findings, if necessary.

The population of study was infinite. Sample size was devised by Godden Formula 2004. The sample was selected through non-probability convenience sampling technique from five categories i.e. 95 litigants, 75 lawyers, 25 Judges, 25 Court administrative staff and 25 Law enforcement agencies. Since any published item scale for the measurement of research variables could not be found hence items scale using five-point Likert Scale was constructed to collect primary data, while secondary data was collected through books journals, magazine, records and online sources. Backup Interviews with judges and other stakeholders were also used.

As the research project is of the social nature, both the qualitative and quantitative methods were used to analyze data into information and deduce support for the hypotheses generated from the literature. Both literature and field surveys gave rise to a body of facts and figures, which were analyzed both descriptively as well in inferential manners. By using SPSS 21.0,

empirical data was put into a well-structured database comprising research variables and their characteristics to get a Data Matrix for statistical manipulation. All the descriptive tables were created from the same matrix.

## 6. RESULTS

### 6.1. Reliability of the Measures: Cronbach’s Alpha

The primary task of the researchers is to verify the reliability of the construct due to the reason that better reliable data instills confidence amongst the researchers to advance the research for further analysis of the data collected. For fulfilling such requirements, the inter-item reliability or the Cronbach’s Alpha reliability coefficient of dependent and independent moderating variables is achieved which is all about .639 to .866. The outcomes of Cronbach’s alpha are given in table 2.

**Table 2** Reliability test

Construct/Variables	Number of Items	Cronbach’s Alpha- Reliability
Dispensation of Justice	10	.866
Pendency of Cases	9	.722

The outcomes of the reliability test indicate the range of Cronbach’s Alpha, (.639 to .866), which is considered good as scholars are of the view that nearer the reliability coefficients to 1.0, the better, reliability coefficient less than .60 is considered to be poor and reliability coefficient in the range of .70 is acceptable and reliability coefficient those over .80 is good (Sekaran, 1999: 311). Given that the Cronbach’s Alpha for the research study at hand ranges from (.639 to .866), therefore, it can be considered high in reliability.

### 6.2. Demographic Profile

**Table 3** Gender Profile of the Respondents

Gender				
		Frequency	Percent	
Valid	Male	221	90.2	
	Female	24	9.8	
	Total	245	100.0	

Gender profile of the respondents mentioned in table 3 depicts that out of 245 respondents, 90.2% are males while remaining 9.8% are female.

**Table 4** Profession Profile of the Respondents

Profession			
		Frequency	Percent
Valid	Lawyer	75	30.6
	Judge	25	10.2
	Court staff	25	10.2
	LEAS	25	10.2
	Litigants	95	38.8
	Total	245	100.0

The professional detail of the respondents given in table 4 shows that out of total respondents 61.2% are LEAs, 51% are court staff 40.8% are Judges and the remaining 30.6% are the Lawyers.

**Table 5:** Qualification Profile of the Respondents

<b>Qualification</b>			
		<b>Frequency</b>	<b>Percent</b>
Valid	Matric	30	12.2
	Intermediate	26	10.6
	Graduate	84	34.3
	Post graduate	105	42.9
	Total	245	100.0

The qualification distribution of the respondents given in table 5 indicates that out of total respondents 57.1% are post-graduates, 22.9% are intermediate and the remaining 12.2 % are matriculate

**Table 6:** Experience of the Respondents

<b>Experience</b>			
		<b>Frequency</b>	<b>Percent</b>
Valid	5 years	53	21.6
	10 years	40	16.3
	More than 10 years	152	62.0
	Total	245	100.0

The detail of experience given in table 6 depicts that 62% of the respondents have more than 10 year experience, 16.3% have 10 year experience and remaining 21.6% respondents have only 5 year experience

**Table 7:** Income Profile of the Respondents

<b>Income</b>			
		<b>Frequency</b>	<b>Percent</b>
Valid	More than 10 thousand	245	100.0

Income distribution of the respondents given in table 7 indicate that all the respondents have an income more than ten thousands

**Table 8:** Pendency of Cases

<b>Pendency</b>			
		<b>Frequency</b>	<b>Percent</b>
Valid	Civil Judge	133	54.3
	Sr. Civil Judge	53	21.6
	ADJ	17	6.9
	D & J	42	17.1
	Total	245	100.0

The detail given in table 8 regarding pendency of cases reveals that majority of the cases (54.3%) are with the Civil Judges. The next higher pendency of cases (21.6%) are with Sr. Civil Judges while the remaining 17.1% and 6.9% cases are pending with District and Session Judges and Additional district judges respectively.



**Table 9:** Visit Detail of the Respondents

Visit			
		Frequency	Percent
Valid	less than 5 times	118	48.2
	More than 5 times	127	51.8
	Total	245	100.0

Detail given in table 9 indicates that majority of the respondents (51.8%) visited courts more than five times while the remaining 28.2% respondents were of the view that they visited courts less than five times

**Table 10:** Traveling Details of the Respondents

Travel			
		Frequency	Percent
Valid	less than 10 KM	115	46.9
	More than 10 KM	130	53.1
	Total	245	100.0

Traveling detail of the respondents given in table 10 indicates that majority of the respondents (53.1%) travel more than 10KM to reach courts while the remaining 46.9% respondents were of the view that they travel less than 10 KM to reach court and pursue their cases

## 7. HYPOTHESIS TESTING

There is relationship between dispensation of justice in District judiciary of Pakistan and pendency of cases.

**Table 11:** Model Summary of Regression Analysis

Model Summary				
Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.002 <sup>a</sup>	.000	-.004	.90208

a. Predictors: (Constant), POC

In the second column of the table 11 R (.002) shows a relationship of independent and dependent variable whereas the R<sup>2</sup> (.000), which is the explained variance, actually the square of R (.002) <sup>2</sup>. The given statistics indicate that two variables are not mutually correlated, and independent variable pendency of cases is explaining .000% variation in the dependent variable.

**Table 12:** Table of Regression Model (ANOVA)

ANOVA <sup>a</sup>						
	Model	Sum of Squares	df	Mean Square	F	Sig.
1	Regression	.000	1	.000	.001	.981 <sup>b</sup>
	Residual	198.740	244	.814		
	Total	198.740	245			

a. Dependent Variable: DOJ  
b. Predictors: (Constant), POC

In the fifth column of the Table 12, we can see that the F statistic is (.001 for model 1), which indicates that the independent variable pendency of cases is not significant explanatory variable of dependent variable dispensation of justice.

**Table 13** Coefficient of Regression Model

Coefficients <sup>a</sup>						
Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.
		B	Std. Error	Beta		
1	(Constant)	2.618	.370		7.076	.000
	POC	.002	.091	-.002	.024	.981

a. Dependent Variable: DOJ

The results in the fifth column of the table 13 shows that calculated t-statistic (0.24) in the model for regression analysis is insignificant as the calculated p-value (.981) is higher than 0.05 levels and indicates insignificant impacts of pendency of cases on dispensation of justice. On the basis of statistical insignificance of the model we can conclude that hypothesis 3 is rejected.

## 8. DISCUSSION

Pendency of cases is said to be the major impediment in process of dispensation of justice (Kumar,2012). The issue of pendency is being faced by different countries around the world including Pakistan. Different studies were conducted but its causes are still little known (Feeley,1983). Different factors of pendency like adjournments, strikes of lawyers, shortage of judges, inadequate resources, and lack of co-ordination between courts and law enforcement agencies and defective investigation were studied through questionnaire and data was collected on likert scale to assess the impact and relationship between both variables' pendency of cases and dispensation of justice.

Although previous studies found positive impact of pendency of cases on dispensation of justice but the statistical data of study at hand shows that both are not mutually co-related. Regression model explains that pendency of cases is not explaining any significant variation in dispensation of justice because the calculated P value is higher than 0.05 that shows insignificant impact of pendency of cases on dispensation of justice.

## 9. CONCLUSION

It is concluded that pendency of case has no effects whatsoever on dispensation of justice in district judiciary of Pakistan.

## RECOMMENDATION

- Steps must be put into practice to ameliorate the functioning of Process Serving Agency by equipping them with full resources to enhance their capabilities.
- Facilities of well equipped Modern Scientific Labs having capacity of DNA testing etc must be extended at District or Division Level so that cases could be disposed of expeditiously.
- Alternative Dispute Resolution mechanism must be made functional by the courts by referring cases for resolution.
- Guidelines enunciated in National Judicial Policy 2009 for the time period for disposal of old and new cases may be reviewed by extending them further.
- Appointment of Prosecutors in criminal cases must be ensured for speedy justice.

## REFERENCES

- [1] Aggarwal C. L. (1978). *Laws' Delay and Accumulation of arrears in the High Courts*. The Journal of Bar Council of India 7(1), (41).
- [2] AIR 2002 SC 1752, *All India Judges Association & Ors. v. Union of India & Ors.*
- [3] (AIR 2003 SC 739,)

- [4] Alam M.S. (2010). *Problems of delay and backlog cases*, *The daily Star*.
- [5] Ayodele. Bonnie, (2004), p 63, *AJPAM Vol XV, No.1 January 2004*
- [6] Blue, R., Richard, H., & Berg, L.A. (2008). *Pakistan rule of law assessment final report*. [Washington, D.C.]: United States Agency for International Development (USAID).
- [7] Chaudhry Hassan Nawaz (2003) *Delay reduction with effective Court Management*, published in *Pakistan Law Journal* on page 359
- [8] Feeley. Malcolm M (1983). *Court reform on trial: why simple solutions fail*. New York: Basic Books, available on <https://onlinelibrary.wiley.com/doi/abs/10.2307/3324045>.
- [9] Feeley. Malcolm M, 1992. *The process is the punishment: handling cases in a lower criminal court*. New York, US: Sage publishers.
- [10] Ghazi M.A, (2006). *The role of judiciary in the promotion of a culture of tolerance*. Paper presented at the International Judicial conference, Islamabad.
- [11] Hamid. S (2007). *An overview of the judicial system of Pakistan and how far has it succeeded in providing justice and establishing rule of law: Report (Justice, accountability, and international experience)*. Islamabad: Pakistan Institute of Legislative Development and Transparency PILDT.
- [12] Hasnat Malik (2015), *No person or institution above the Constitution, says chief justice.*, *Express Tribune*, September 9, 2015.
- [13] International Crisis Group, 2008. *Reforming the judiciary in Pakistan Asia Report No.160*, Islamabad; Brussels: International Crisis Group.
- [14] Iqbal.J.J, 2006. *The Role of the judiciary as a catalyst of Change*. Paper presented at the International Judicial Conference, Islamabad.
- [15] Justice K. G. Balakrishnan, (2007, Aug 16), *Backlog of cases causing concern: CJI*, *The Hindu*, Thursday, Aug. 16, 2007.
- [16] Justice S.B. Sinha, (2004), *Judicial Reform in Justice Delivery System*, available at [http://www.supremecourtcases.com/index2.php?option=com\\_content&itemid=1&do\\_pdf=1&id=520](http://www.supremecourtcases.com/index2.php?option=com_content&itemid=1&do_pdf=1&id=520)
- [17] Justice Y.K. Sabharwal (2007), *My Dream of an Ideal Justice Dispensation System*, [http://highcourtchd.gov.in/right menu/articles/mydream.pdf](http://highcourtchd.gov.in/right%20menu/articles/mydream.pdf), site visited on 10.2.2012.
- [18] Kakalik. J. S., Selvin, M., & Pace, N. M. (1990). *Averting gridlock: strategies for reducing civil delay in the Los Angeles Superior Court*. Santa Monica, CA: The Institute of Civil Justice Radn.
- [19] Khan, F. S. & Khan, S. R. (2003). *A Benchmark study on law-and-order and the dispensation of justice in the context of power devolution*. Islamabad: Sustainable Development Policy Institute.
- [20] Khan. F.S (2004). *Quest for justice: Judicial system in Pakistan*. Islamabad: The Network Publications.
- [21] Khawaja Justice Jawwad. S, (2015). *Address by Mr. Justice Jawwad S. Khawaja, on September 9, 2015*, available on [www.supremecourt.gov.pk](http://www.supremecourt.gov.pk).
- [22] Kumar V.A, (2012 Page 16), *Judicial Delays in India: Causes & Remedies*, Department of Laws, Punjab University, Chandigarh, *Journal of Law, Policy and Globalization*, ISSN 2224-3240 (Paper), ISSN 2224-3259 (Online) Vol. 4, 2012. Online available at: <http://www.iiste.org/Journals/index.php/JLPG/article/view/2069>
- [23] Law & Justice Commission of Pakistan (2003). *Expediting Trial Proceedings Report No.60*, Islamabad.

- [24] Law and Justice Commission of Pakistan, (2014), *Judicial Statistics of Pakistan, Annual Report 2014*, available on [www.ljcp.gov.pk](http://www.ljcp.gov.pk)
- [25] Law Commission of Bangladesh (2010). *Recommendations for Expediting Civil Proceedings. Government of Bangladesh.*
- [26] Law Commission of India (1978). *Delay and arrears in Trial Courts 77*. New Delhi: Law Commission of India.
- [27] Law Commission of India, 1986, *Report 114, Gram Nyayalaya* p. 7, para 3.1,
- [28] Mulk. Justice Nasir ul Mulk, (2015). *Address by Mr. Justice Nasir-ul-Mulk, on September 08, 2015* available on [www.supremecourt.gov.pk](http://www.supremecourt.gov.pk).
- [29] National Judicial Data Grid of India (2014), available on [https://njdg.ecourts.gov.in/njdgnew/?p=main/pend\\_dashboard](https://njdg.ecourts.gov.in/njdgnew/?p=main/pend_dashboard)
- [30] Nawaz. C.H, (2004). *Delay reduction with effective Court Management* PLD, 2004
- [31] Pakistan Law Digest, (1998), SC page 1445.
- [32] Peshawar High Court, (2011). *Judicial Estacode: Instructions issued by the High Court Section 7: letter No.2947-3034 dated 2<sup>nd</sup> June 1990 circular letter: Instructions regarding speedy disposal of cases filing of documents. Nonobservance of High Court Rules and Orders, Peshawar. Peshawar High Court.*
- [33] Raza Ullah Shah, Shadi Ullah Khan & Sumera Farid (2014), *Causes for Delay in Civil Justice in Lower Courts of Pakistan: A Review*, Volum 6, No.1, Jan-Jun 2014, pp.47-67. Online available at: [www.pakistansocietyofcriminology.com /.../2014\\_07\\_27\\_046.pdf](http://www.pakistansocietyofcriminology.com/.../2014_07_27_046.pdf).
- [34] Shajahan, S. (2005). *Research methods for management*. Mumbai: Jaico Publishing House.
- [35] Warren E Burger, Former Chief Justice of America,(1984), *How the mediation profession began* available at <https://mediatbankry.com/2016/10/13/how-the-mediation-profession-began-from-chief-justice-e-warren-burger-1984-part-1-of-2/>.
- [36] *Constitution of Islamic Republic of Pakistan, 1973*
- [37] *Research Methodology for Business, A skill- building Approach* by Uma Sekran and Roger Bougie.
- [38] *Statistical Methods & Data Analysis* by Dr Faqir Muhammad and Dr Hassan Dawood.
- [39] *Strategic Management, Concepts, and Cases* by Fred R. David