

# Ad Hoc Judges

Ad-Hoc Judges are a remedial choice for the country's judiciary. Ad hoc judges are those appointed for a specific case, project, or time period only and are distinguished from standard judges, who are chosen by a conventional process for a specific time.

For many years, in India, various cases have been pending due to the unavailability of judges or other circumstances. Considering the seriousness of this situation, the Supreme Court has recommended the appointment of Ad Hoc Judges to solve and reduce pending cases in high courts. This article will be covering the meaning of Ad Hoc judges, along with their roles and duties, the method of appointment and the articles in the Indian Constitution that define the provisions required.

## Ad Hoc Judges - Meaning

Ad Hoc judges are the remedy to the shortage of judges and the huge backlog of cases in the Indian judiciary.

- According to Article 127 of the Indian Constitution, the Chief Justice of India may appoint a high court judge to serve as an ad hoc Supreme Court judge for a certain period of time when a majority of permanent judges is needed to convene and continue a Supreme Court session.
- Only after discussing with the relevant high court's chief justice and gaining the president's prior approval would Ad Hoc Judges take this action.
- Above all other responsibilities, the judge's primary obligation is to show up to Supreme Court hearings.
- They are subject to all the duties, restrictions, and privileges a Supreme Court judge is.

## Ad Hoc Judges - Role and Duties

Ad Hoc Judges have multiple roles and duties. They have been briefly discussed below;

- It is not necessary for the divisional court to be created in a divisional bench of sitting judges and Ad Hoc Judges at the time of the hearing before the division bench.
- Only Ad Hoc Judges are currently permitted on the division bench since their prior cases must be heard by them.
- Ad Hoc Judges are actually responsible for carrying out the duties of a Supreme Court justice; it is not proper for them to do any other legal tasks.
- Ad Hoc Judges are typically given cases that have been waiting for five years. In addition, it would be acceptable for the Supreme Court's top justice to use their discretion to consider these kinds of cases.

## Appointment of Ad Hoc Judges

The Chief Justice of India may, with the prior approval of the President and following discussion with the Chief Justice of the High Court in question, request in writing the attendance at court proceedings of a Judge of a High Court who is duly qualified for appointment as a Judge for such a period of time as may be necessary if at any time there is not a quorum of the Supreme court judges accessible to hold or proceed any session of the Court.

Prior to carrying out other responsibilities related to his position, the judge who has been so designated shall attend Supreme Court sessions at the times and for the duration of which he is required to do so. While doing so, he shall exercise all of the jurisdiction, powers, and privileges, as well as carry out the duties, of a Judge of the Supreme Court.

The Chief Justice of India is one of the Supreme Court's 34 current judges. It was founded in 1950 and included eight judges at the time, including the Chief Justice of India. The Parliament may impose restrictions on them through law.

## Ad Hoc Judges Articles - Provisions in the Constitution

There are two major articles in the Indian Constitution that define the provisions in regard to the post of Ad-Hoc judges in the Supreme Court and the High Courts of the country.

- 1. Article 127 of the Indian constitution:** This article provides for the situation and circumstances in the appointment of the ad hoc judges.
- 2. Article 224a of the Indian constitution:** This article provides for the rules and methods to be followed while the ad hoc judges are being appointed.