

Judicial Holidays

Mains: GS - II - Polity & Governance

Why in News?

The debate over judicial holidays has resurfaced in recent weeks, with critics questioning why courts observe extended breaks.

What is a Judicial Holiday?

- **Judicial Holidays** - It refers to scheduled breaks where courts stop regular daily hearings, though they are often misunderstood as periods of complete leisure.
- It is also known as *court vacations*.
- The assumption is that judges, like most professionals, step away from work during these periods - that assumption is largely wrong.
- For most judges, a holiday is rarely a holiday in any conventional sense.
- **Origin** - It has its origins in colonial practices.
- The summer break perhaps began because European judges of the Federal Court of India found Indian summers too hot and took the winter break for Christmas.
- **Current Framework of Court Vacations**

Court	Working days per year
Supreme Court	193 days
High Court	210 days
Trial Court	245 days

- **Judicial Breaks** - These are not periods of rest but working windows.
- During these breaks, judges complete pending judgments, study lengthy case records and prepare for matters of constitutional importance.
- With case backlogs continuing to rise across courts, these are often the only stretches available for uninterrupted work.

What about the nature of judicial work?

- **Visible Part** - The public sees only the visible part of the work: judges presiding over courtrooms, hearing arguments, questioning lawyers and delivering orders.
- **Invisible Part** - What they do not see is the considerably longer phase that begins after court hours, when judges return home to write judgments; this work often stretches past midnight.
- Each judgment requires close analysis of facts, application of legal principles, reference to precedent, and precision in language, since every word carries legal

weight.

- A single decision can affect lives, businesses, reputations and personal liberty.

How about the judicial holidays pattern comparison between India & other countries?

- **Justice Ruth Bader Ginsburg (USA)** - She was known to arrive at her chambers shortly after lunch and work late into the night.
- From oral argument to majority opinion, she averaged 60 days, the fastest pace on her Bench.
- Even during cancer surgeries (1999, 2009), she scheduled procedures to avoid missing court days.
- **Justice D.Y. Chandrachud** - During his eight-year tenure in the Supreme Court, authored over 600 judgments and sat on more than 1,200 Benches before retiring as the 50th Chief Justice of India in November 2024.
- Few professions outside the Bench demand such sustained intellectual output year after year, and that too with little public recognition of the labour involved.
- **Unseen workload** - Long before court assemblies, judges are reading voluminous case files, studying precedents and preparing for the day's hearings.
- By the time proceedings open, hours of unseen work have already been invested.

What are the personal and economic strains in the life of judges?

- **Family Strain** - Spouses and children of judges describe a familiar pattern: even on holidays, judges are occupied with their laptops, files, or video calls with law clerks.
- The time supposed to be shared in company with their family is regularly interrupted by judicial work.
- Thus, judicial service is not only an individual commitment, but also a shared one for the household.
- **Economic Pressures** - Judges earn a structured but modest salary compared to senior advocates, who may earn in a single hearing what a judge earns in months.
- Judges, in turn, carry the greater burden of decision-making and accountability.
- Many judges take the Bench after giving up lucrative practices, choosing service to the nation over personal financial gain.
- **Professional Pressure** - Judicial decisions are scrutinised publicly and legally; Judges must remain neutral and detached, even when the cost of doing so is high.

Ethical Dimensions of Judicial Holidays

- **Duty vs. Well-being** - *Judges carry the immense responsibility for justice delivery.*
- *Ethically, ensuring their mental health and rest is part of sustaining impartial and high-quality judgments.*
- *Overwork risks errors, which would be unjust to litigants.*
- **Fairness to litigants** - *Critics argue long holidays delay justice, violating the principle that justice delayed is justice denied.*
- *Ethically, courts must balance judges' need for rest with litigants' right to*

timely adjudication.

What about some examples related of lifelong dedication of Judges to the service?

- **Justice H.R. Khanna** - In his autobiography, *Neither Roses Nor Thorns*, he recalled the night before he delivered his lone dissent in the ADM Jabalpur case (1976) during the Emergency.
- He foresaw the consequence, telling his sister it would end his chance at the top post.
- The following year he was superseded for the top post by Justice M.H. Beg, who had ruled with the majority, and resigned soon after.
- His dissent, eventually vindicated later in the Puttaswamy verdict of 2017, is now remembered as one of the bravest decisions in Indian judicial history.
- **Lord Denning** - He served on the Bench for 38 years and delivered around 2,000 reported judgments before retiring at 83 and continued writing books on the law till his 100th birthday.
- Margaret Thatcher described him as “probably the greatest English judge of modern times.”
- **Justice V.R. Krishna Iyer** - He kept producing books, articles and lectures on jurisprudence long after his retirement from the Supreme Court, almost until his death at 99 in 2014.

What lies ahead?

- The debate on judicial holidays deserves a more understanding.
- A judge’s duty does not pause when courts close - it continues through late-night drafting, early morning preparation, and constant engagement with the law.
- Before questioning the system, it may help to first understand what it actually asks of those who serve in it.

To know more about Court Vacation, click [here](#)

Reference

[The Hindu | Why judicial holidays are necessary](#)

