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
Trail 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 assembles, 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

SHANKAR IAS PARLIAMENT
Information is Empowering