

The 49th Chief Justice of India, Justice UU Lalit has made significant announcement pertaining to **One Constitution Bench** functioning throughout the year

Let us understand the what and why of Constitution Bench



What is a Constitution Bench?



A bench consisting of five or more judges



These are the temporary benches which get dissolved once a legal question or issue referred to them is resolved



The Chief Justice of India has the power to constitute the Constitution Bench & refer the issues or cases to it.

Under which provisions or circumstances the Constitutional Bench has been constituted?

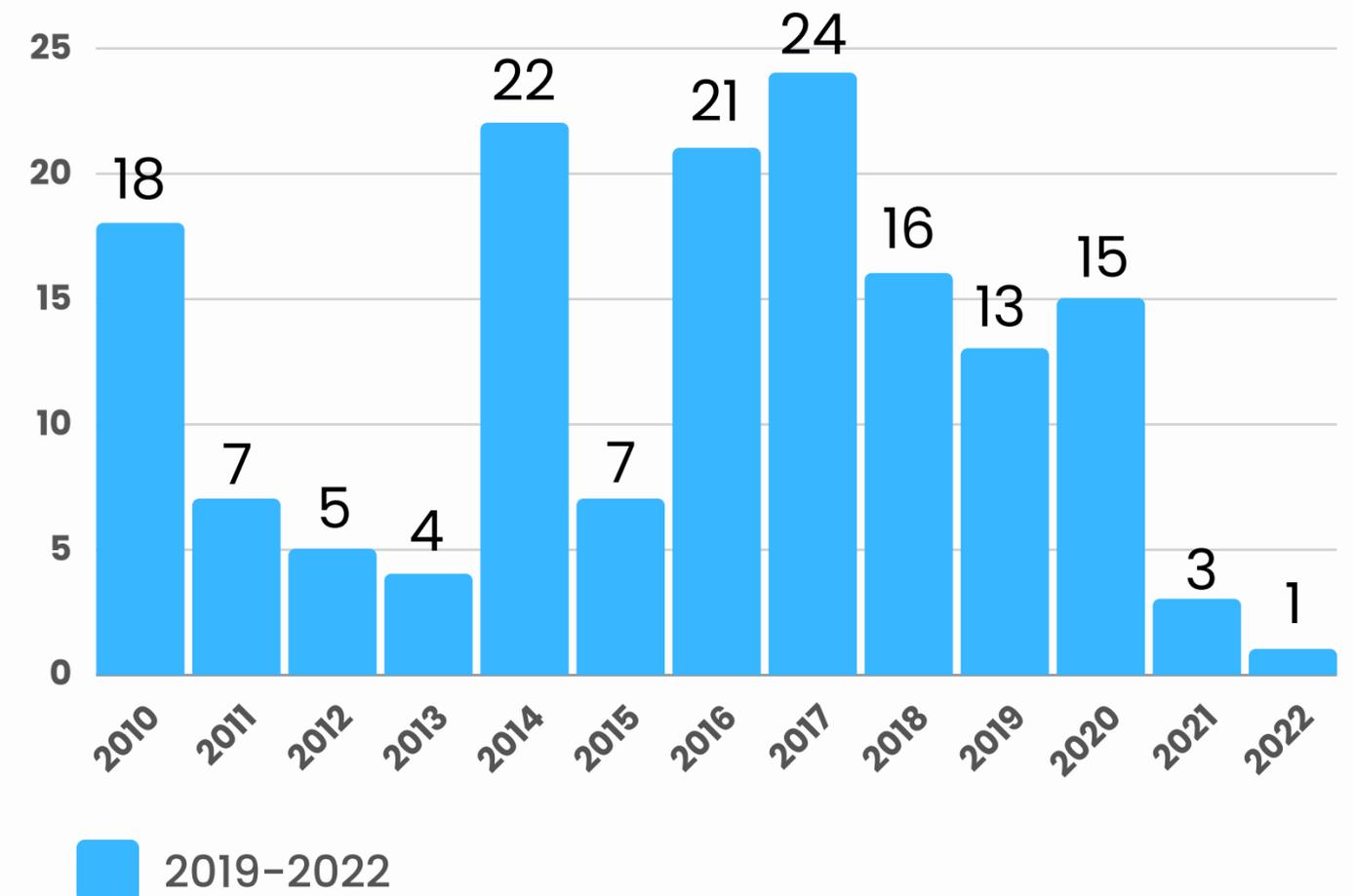
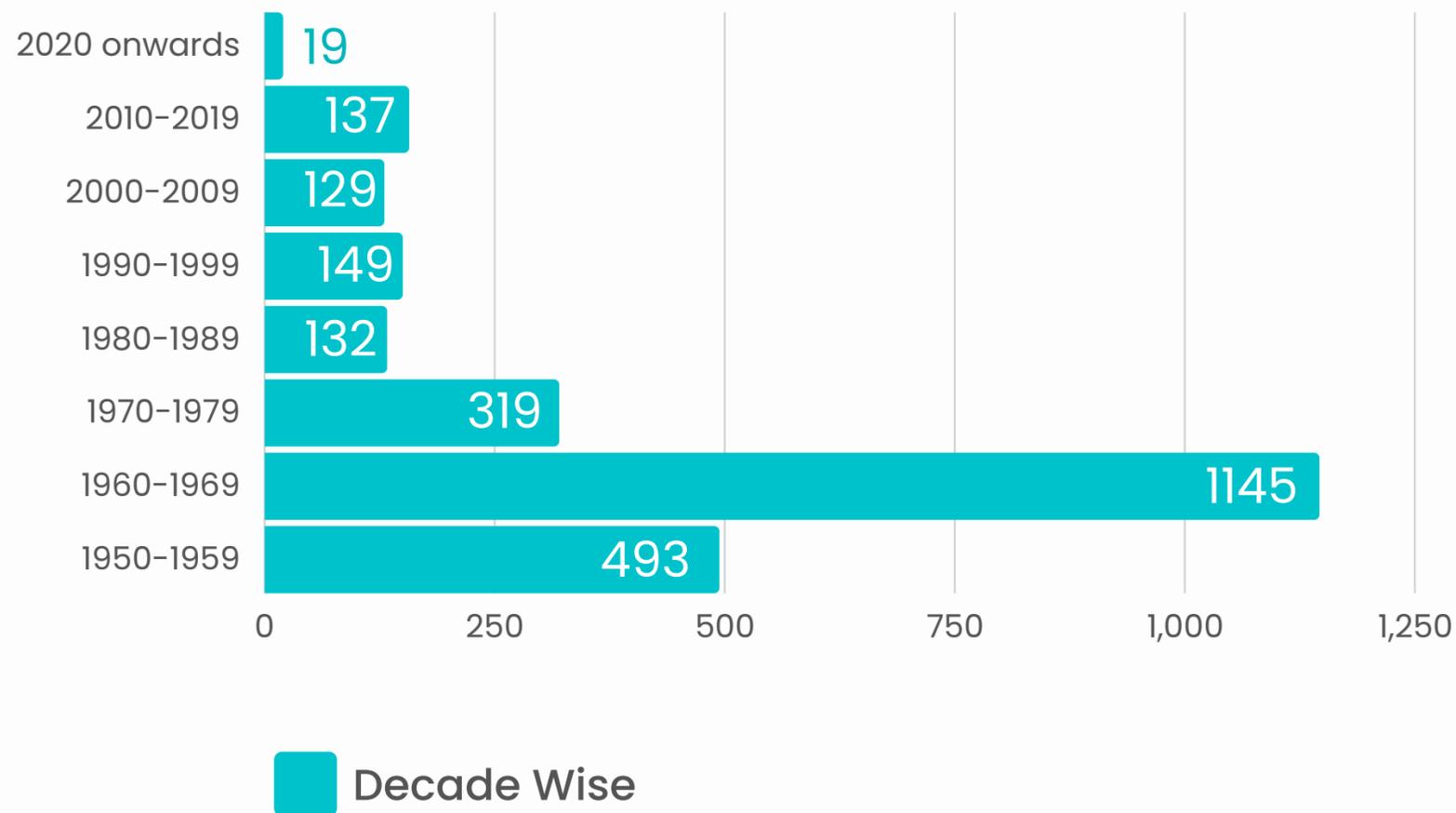
Article 145(3) provides, “The minimum number of Judges who are to sit for the purpose of deciding any case involving a substantial question of law as to the interpretation of this Constitution or for the purpose of hearing any reference under Article 143 shall be five.”

Under **Article 143 of Constitution** – When president seeks Supreme Court’s consultation on a question of law or fact that has arisen, or is likely to arise, which is of such a nature and of such public importance that it is expedient to obtain the opinion of the Supreme Court upon it.

Conflicting judgments: When two or more judgements of three judge benches deliver conflicting viewpoints on same issue of law, it necessitates a definite understanding and interpretation of the law by a larger bench.

No. of Judgments Delivered by Bench of 5+Judges : 1950-2022

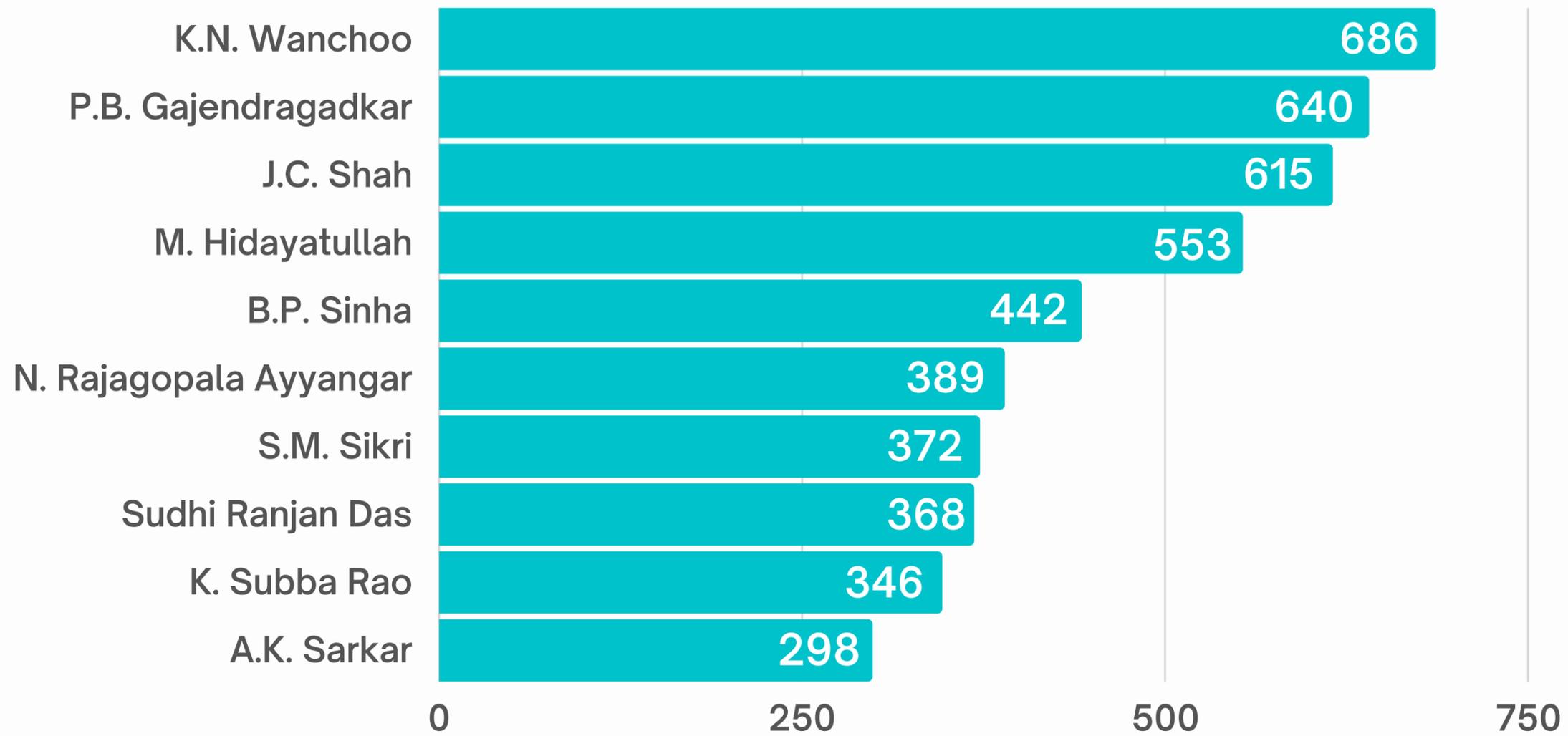
 **Supreme Court** **Total 2525**



Hon'ble Judges Presiding in Maximum judgements (Bench Strength 5+ Judges)

 Supreme Court 1950-2022

Tenure at SC

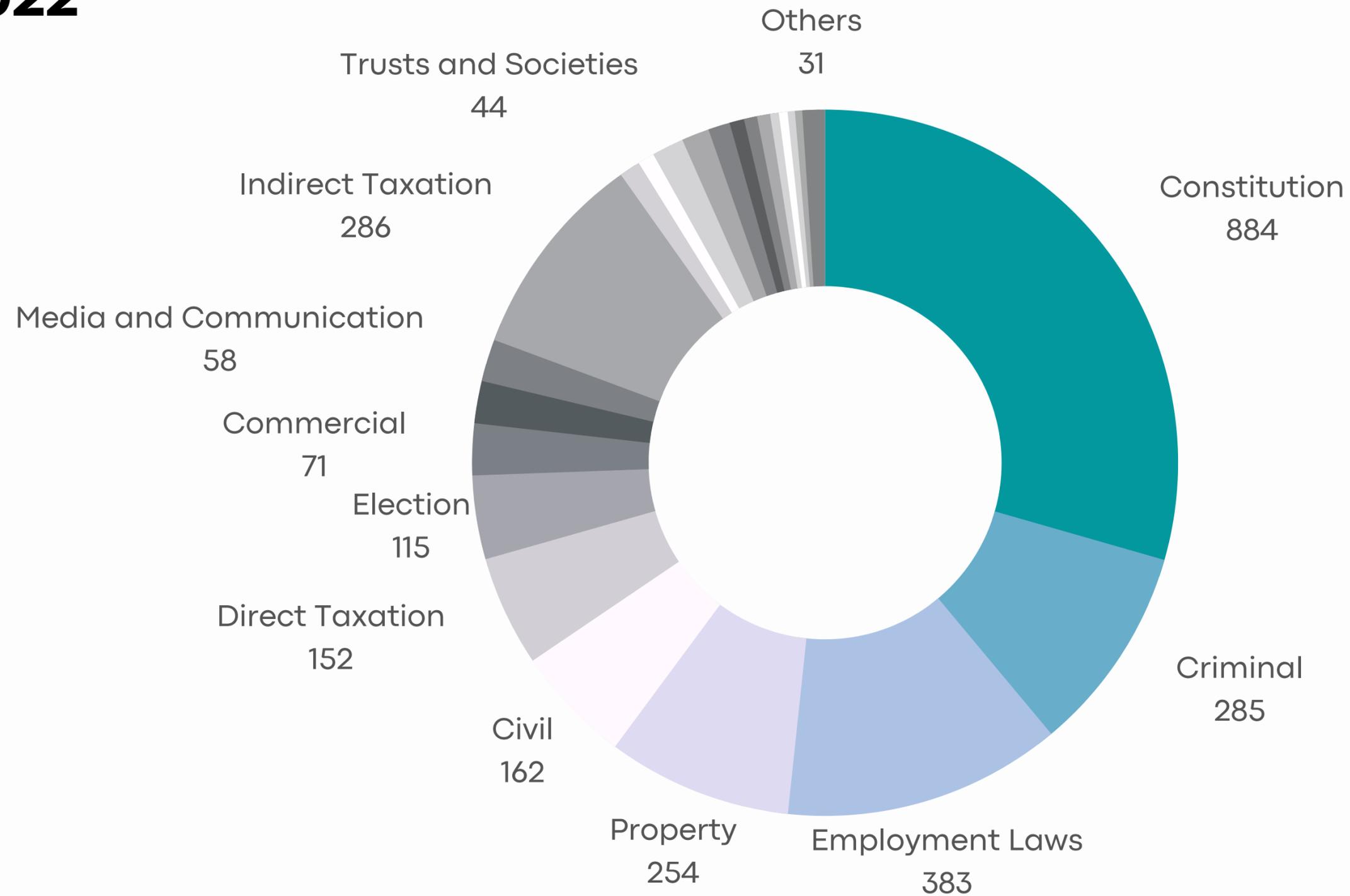


11 Aug 1958 – 24 Feb 1968
 17 Jan 1957 – 15 Mar 1966
 12 Oct 1959 – 21 Jan 1971
 01 Jan 1958 – 16 Dec 1970
 03 Dec 1954 – 31 Jan 1964
 27 July 1960 – 14 Dec 1964
 03 Feb 1964 – 25 April 1973
 26 Jan 1950 – 30 Sep 1959
 31 Jan 1958 – 11 April 1967
 04 Mar 1957 – 29 June 1966

Top 10 Judges

Source : Manupatra

Subject Wise Distribution 1950-2022



Source : Manupatra

CJI has emphasized on having a permanent Constitution Bench

- For speedy disposal of issues
- For Effective and urgent identification and hearing of cases which need their urgent attention

The Apex Court has notified 25 Constitutional Bench matters that will be taken up by the Court from 29 August 2022. Hearing for some of the significant cases has started :

- The Constitutional validity of Citizenship (Amendment) Act, 2019
- The Karnataka Hijab Ban Case
- The Constitutional Validity of EWS Reservation
- Framing of guidelines for the Court for consideration of mitigating circumstances in Death Penalty
- Delhi Government v. LG Case

The Supreme Court has decided to begin the live streaming of Constitution bench hearing from September 27. The unanimous decision was taken at a full court meeting