

**JUSTICE S.C. DAS**  
**JUDGE**  
**HIGH COURT OF TRIPURA**

**JUDICIAL INITIATIVES FOR LITIGANT FRIENDLY**  
**ENVIRONMENT IN THE COURTS**

**INTRODUCTION**

Access to justice is a basic right of every citizen, the edifice of which as on today, is based on Judges, Lawyers, Courts Staffs and other functionaries. The entire Institution is meant for delivering justice to the common people. To say the truth, the ordinary common men are generally afraid of Police and Courts. People do approach the Courts as a matter of their last resort. So the survival of the judicial institution will depend on how it can deliver justice fairly and freely to the common men. An independent, accessible and efficient Justice Delivery System is a prerequisite for maintaining healthy democratic traditions and pursuing equitable development policies. In our democratic set up, judiciary plays a very important role. Judiciary is said to be the guardian of the Constitution. The Indian Courts have played a leading role in protecting constitutional values and upholding the Rule of Law in our country.

The very first goal of the Constitution, is to secure justice to all—social, economic and political. The vital social rôle of the Courts has been strengthened by the creative reading of ideas, such as, “Equal Protection of Law” and “Personal Liberty”.

Since the institution is for delivery of justice to the common men, the primary duty casts on the judiciary to devolve a litigant friendly environment in the Courts so that the people feel free to come and approach the Courts.

So far the data available, as on 31.03.2014, in the Districts and Sub-ordinate Courts in India, a total number of 27360814 cases

(civil and criminal) are pending in different Courts throughout the country. In every case, obviously, there are two or more litigants, who are fighting the cases. So the magnitude of people attending the Courts everyday can be imagined from this figure of cases pending throughout the country. The judicial officers are the main functionaries in the Courts and the initiative has to be taken by the judicial officers to make the Courts friendly and viable for the litigants.

I may quote here a few lines from a speech of Justice Warren Burger, former Chief Justice of the U.S. Supreme Court. Justice Burger while addressing a gathering of lawyers in America said—"the entire legal profession, the lawyers, judges, law teachers-has become so mesmerized with the stimulation of the court room contest that we tend to forget that we ought to be healers of conflicts. Doctors, inspite of astronomical medical costs, still retain a high degree of public confidence because they are perceived as healers. Should lawyers not be healers? Healers not warriors?.....". Justice Burger's comments in American situation is equally true in Indian situation. We the judges and lawyers must as the healers of conflicts for which we need to make an ideal atmosphere in the court premises.

Ideal atmosphere means an atmosphere in the court premises which is friendly to all those who come to court.

## **1. CHARACTER AND ATTRIBUTES OF JUDICIAL OFFICERS**

Since judicial officers are the most important functionaries of the present Justice Delivery System, the duties, responsibilities and character of every judicial officer count most important. A judicial officer plays multifaceted roles on the judicial side. He has to interpret the law, assess the evidence, control the hearings and trials and has to see the overall atmosphere prevailing in the Courts.

