

(Date):

Khadija Saeed

(Day):

Essay - Test 1.

CAUSES AND CONSEQUENCES OF DELAYED JUSTICE

A

Outline:-

1 Introduction

Thesis Statement: The factors responsible for untimely justice are deeprooted in history and its very structure that results in farreaching consequences on a man, its society and on civilization as a whole.

2 JUSTICE: A Cornerstone of Civilized society

3 Causes of Delayed Justice

a) Outdated and unfavourable laws
Case study: Pakistan - colonial era laws

b) Structural flaws in judicial systems
- unnecessary adjournments

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- inefficient administration
- transfer of judges

c) Politicizing the institution of judiciary

26th Amendment in constitution of Pakistan

d) Acute shortage of judicial manpower

e) Inefficient role of lawyers
strikes, boycotts, corruption,
nepotism, bribes.

Need more points

4. Consequences of Delayed Justice

"A nation that abandons justice and fairness is destined for destruction."
(Hazrat Umar R.A.)

a) Delayed justice results in Anarchy in society

- No rule of law
- Quarrels among each other
- Getting justice through other means (Crimes, terrorism)

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b) Delayed justice leads to suicidal tendencies.

Case study: self immolation of a litigant, Asif Javed at Lahore high court over prolonged legal delays on 30 Mar 2025.

c) Delayed justice erodes public trust over Government Institutions
- indulge in illegal acts

d) Delayed justice results in economic stagnation of society.
- Financial burdens for litigant to pay the lawyers and transportation expenses for attending the hearing.

e) Delayed justice means violation of Human rights.
- right to live free and secure.
- right to be protected by the State.

5. Recommendations for delivering Timely Justice:

a) Modernising case management

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procedures

- introduction of electronic filing system
- virtual hearing
- alternate dispute resolution mechanism - mediation and arbitration.

b) Transparency in judicial appointments improve manpower allocation.

c) Strengthen alternative dispute resolution mechanisms.

- mediation }
- arbitration } cost effective.

d) Address the lack of accountability, inefficiency and corruption in judicial system.

6 Conclusion

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"The court is adjourned till next date," this phrase is often heard in courts whenever the judge is unsatisfied with the evidence provided, or the provided evidence distract the court provisions, or the list of evidence is too long that ends the court session or any other reason. Though, whatever the reason might be, this delay directly affects the mental, social and economic life of the litigant. It is because justice is the fundamental principle of a civilized society - Justice in time means a prosperous and progressive society. However, delay in justice shattered the very foundation of society, by resulting in anarchy in society; where there is lack of human rights and trust deficit between people and government institutions. The main reasons behind these consequences ^{is} the delayed justice; owing to outdated laws and structural and individual flaw in judiciary system and lawyers respectively. In short, there is a dire need for a comprehensive judicial reforms because the factors responsible for untimely justice are deep rooted in history and its very structured that results in far reaching consequences on a man, its society and on civilization as a whole.

