



The Indian Journal for Research in Law and Management

Open Access Law Journal – Copyright © 2026

Editor-in-Chief – Dr. Muktai Deb Chavan; Publisher – Alden Vas; ISSN: 2583-9896

This is an Open Access article distributed under the terms of the Creative Commons Attribution-Non-Commercial-Share Alike 4.0 International (CC-BY-NC-SA 4.0) License, which permits unrestricted non-commercial use, distribution, and reproduction in any medium provided the original work is properly cited.

AI IN THE INDIAN JUDICIARY: CAN TECHNOLOGY REDUCE PENDENCY WITHOUT REPLACING HUMAN JUDGMENT?

Saad Mulani

ABSTRACT

This article examines the potential of artificial intelligence to reduce judicial pendency in India without compromising human judgment. It explores existing applications, including SUPACE, SUVAS and eCourts Phase III, alongside judicial concerns regarding fabricated citations, algorithmic bias and automation bias. Through an analysis of relevant Indian judicial decisions, the article distinguishes AI-assisted research and administrative functions from adjudicatory decision-making. It argues that AI should complement, rather than replace, judicial reasoning through mandatory human verification, independent assessment of legal authorities and accountable use. The article concludes that responsible integration of AI can improve judicial efficiency while preserving fairness, accuracy and legitimacy.

Keywords: Artificial Intelligence, Indian Judiciary, Judicial Pendency, Human-in-the-Loop, Algorithmic Bias, Judicial Accountability.

I. INTRODUCTION

The issue of case pendency has been one of the greatest issues affecting the judicial system in India. NJDG has data that show current numbers for pending cases, which reflect the extent to which the problem is serious and recurring. The accumulation of new cases continues to happen each year, which adds to the problem of existing pending cases needing to be sorted out. Alternative Dispute Resolution (ADR) mechanisms have helped reduce the burden of pending cases, but they were not meant to handle all the burden of litigation, and they are constrained by infrastructure and dispute types they can actually settle.

Artificial intelligence is now increasingly being used in the courts of law to solve this problem. The applications of artificial intelligence include translating judgments, legal research, filing

of cases, and document and case management. However, what artificial intelligence has not been able to deliver is the assurance of accuracy or fairness, which recent experience in the judicial system in India illustrates clearly. The issue is no longer whether artificial intelligence should be used in the judicial process because it already is, but rather to what extent should it be used.

II. WHERE AI CURRENTLY SITS IN THE JUDICIAL PROCESS

A single dispute of complex nature can give rise to thousands of pages of documentation including pleadings, evidence, and precedents. Locating the material that actually matters is itself a substantial part of judicial work, and this is where AI can prove genuinely useful. It can search large repositories, flag potentially relevant judgments, organise documents, assist with translation, and support preliminary summaries. The best way to think of AI at this stage is as a very fast research assistant: it can find material quickly, but it cannot tell a judge why that material matters to the case.

The Supreme Court's Artificial Intelligence Committee¹ has identified translation, legal research assistance and process automation as areas for AI application, while tools such as SUVAS and SUPACE have been developed for translation and legal research assistance. Under eCourts Phase III², the Government has also identified AI, Machine Learning, Optical Character Recognition and Natural Language Processing for uses including translation, prediction and forecasting, automated filing, intelligent scheduling, case-information systems and litigant-facing services. These initiatives are intended to support judicial and administrative work rather than transfer adjudicatory authority to machines.

This is also why courts are being forced to develop technical literacy even outside the adjudication process itself. In ANI Media Pvt. Ltd. VS. OpenAI OpCo LLC, the Delhi High Court had to examine issues arising from the training and operation of large language models in the context of a copyright dispute.³ This particular case pertains to training data and copyright laws rather than to AI-assisted judgment making. The key lesson here is the following: courts now require sufficient technical knowledge to apply the existing body of rules and norms to new technologies unforeseen by previous legislation.

¹ *Id.* (describing the Supreme Court's AI Committee, SUVAS and SUPACE).

² Dep't of Justice, Ministry of Law & Justice, Gov't of India, *Use of Artificial Intelligence in Legal Field*, Rajya Sabha Unstarred Question No. 1398 (Dec. 11, 2025), <https://www.doi.gov.in/static/uploads/2026/02/7d06f171d48ad0fb456482d62f3cb449.pdf>.

³ ANI Media Pvt. Ltd. v. OpenAI OpCo LLC, CS(COMM) 1028/2024, I.A. 45300/2024 (Delhi High Court July 24, 2026).

The key differentiation for the whole discussion is one between assistance and adjudication. While AI may assist in finding the law, it does not have the ability to make judgment regarding it. A tool might return twenty judgments using similar language, but a judge still has to determine which one binds the court, whether it has been overruled or distinguished, and whether the facts genuinely align with the case at hand. Searching is not reasoning. Summarising is not adjudicating. Speed is not the same thing as justice.

III. ACCURACY, BIAS, AND THE DANGER OF BLIND TRUST

The clearest recent warning on this front has come from the Supreme Court in the case of *Pooja Ramesh Singh v. Jammu and Kashmir Bank Ltd.*; the Court considered judgments of the National Company Law Tribunal and National Company Law Appellate Tribunal that had relied on six AI-generated citations later found to be wholly non-existent or attributed to non-existent paragraphs.⁴ The Supreme Court treated the problem as serious because reliance on fabricated authorities undermines the sanctity of judicial decision-making.

The comparison that comes to mind is a student research paper with fabricated footnotes pointing to books that were never published. It can look entirely credible until someone actually checks the sources. In litigation, however, checking is not optional, because the outcome can affect property, liberty and enforceable legal rights in ways an unpublished essay never will. The Supreme Court's decision demonstrates why AI can be used as an aid but why legal authorities generated or identified by AI must be independently verified before they are relied upon.⁵

The Delhi High Court had reached a strikingly similar conclusion three years earlier, in a very different kind of dispute. In *Christian Louboutin SAS & Anr. v. M/s The Shoe Boutique Shutiq*, the plaintiffs sought to rely on a ChatGPT response in relation to the reputation of their red-soled shoes.⁶ Justice Prathiba M. Singh declined to treat the response as a reliable basis for deciding legal or factual issues, observing that responses from large language models depend on the query and training data and may contain incorrect responses, fictional case law and imaginative data.⁷

⁴ *Pooja Ramesh Singh v. Jammu & Kashmir Bank Ltd.*, 2026 INSC 668 (July 2, 2026).

⁵ *Id.*

⁶ *Christian Louboutin SAS & Anr. v. M/s The Shoe Boutique–Shutiq*, CS(COMM) 583/2023, 2023 DHC 6090 (Delhi High Court Aug. 22, 2023).

⁷ *Id.*

Both cases point to the same structural problem: generative AI output can range from accurate to entirely fabricated, while its confident presentation may give the appearance of reliability. A reader who receives a fluent answer may assume that it reflects careful verification when none has occurred.

There is a second, less visible concern beneath the fabrication problem. AI systems learn from data, and where the underlying data contains institutional or societal bias, an automated system can reproduce that bias while presenting its output as a neutral, statistically derived conclusion. That is far more problematic when that same AI is involved in making decisions about bail, sentencing, or policing, where the outcome will impact an individual's freedom. A judge or attorney is still liable from a formal point of view but increasingly reliant on the output of the system, which is known as automation bias. It is not the case that the machine takes the decision; rather, the system makes it simpler to stop looking at the output.

IV. 'HUMAN IN THE LOOP' AS A PRACTICAL SAFEGUARD

An alternative to such risks would be not to ban AI altogether in the judicial process. It may prove ineffective as an approach since it may deprive one of efficiency benefits. The solution to this problem is to integrate human verification within each stage: AI helps, humans check, the judge makes conclusions and then decides.

A relevant example is *Md. Zakir Hussain v. State of Manipur*. As a result of the government's affidavit failing to provide sufficient information regarding service conditions of the Village Defence Force, the Manipur High Court revealed that it conducted research on Google and ChatGPT 3.5. Instead of viewing the tool as a decision-maker, the Court used it as a means for locating necessary background information and the Office Memorandum on the issue. The Court then considered the legal stance on the matter and came to its own conclusion. This particular case shows a model that should be applied in general: AI can be helpful in reducing the time taken for finding information, but a judge needs to examine it independently before making a decision.

This essentially involves verifying whether the cited decision exists and is pertinent before accepting it, ensuring that the records underpinning such decisions are available at all times where AI is deployed in summarizing evidence, and comparing an AI-created legal argument with the applicable legislation and case laws before making any ruling. It is imperative that a judge always retains the liberty to disagree with an AI-generated response without necessarily assuming its correctness on account of speed. The same discipline applies to lawyers:

professional responsibility cannot be transferred to software merely because software generated the underlying material.

The Department of Justice has stated that no special policy or guideline had been prepared specifically for ethical AI use in the legal system in the material cited, although AI use under eCourts Phase III remains confined to the areas identified in the project's framework; the Government has also acknowledged data-protection, security and related concerns.⁸ This is precisely why safeguards should be built while the technology is still being introduced, rather than after a serious failure exposes the gap in a high-stakes case.

The underlying goal should not be an automated judiciary, but a judiciary in which technology absorbs tasks it is genuinely good at searching, sorting, translating and organizing while judges retain control over tasks requiring legal judgment. Used this way, AI can meaningfully reduce the time spent on preparatory work and potentially ease some of the pressure behind judicial pendency. But the legitimacy of a judgment has never been a function of how quickly the software behind it operates.

V. CONCLUSION

AI genuinely has something to offer a judiciary struggling with backlog, but only within a framework that treats it as a research and administrative aid rather than a decision-maker. If used properly, it will facilitate the process of going through the vast number of data created by the litigation process, enabling the judges to spend more time on what matters, which is the decision-making process. If used improperly, as has been seen in the case of the NCLT and NCLAT in the Supreme Court, it can lead to decisions being made on citations that do not exist.

Thus, it is not about choosing one over the other – there is no need for a trade-off between the two because the aim should be to merge both efficiency and legitimacy. Technology can handle the tasks that involve repetition and the processing of a huge amount of data while humans can still carry out their role of judging. In other words, the future of artificial intelligence in the Indian judicial system should not be determined based on how many tasks can be given to machines.

⁸ *Use of AI in Legal Profession and Judicial System*, supra note 1.