

## With ordinance, SC judge strength up from 33 to 37

President Droupadi Murmu has promulgated ordinance, which will be taken up by Parliament when it convenes; move is a step towards tiding over crisis of pendency plaguing the court

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President Droupadi Murmu has promulgated an ordinance increasing the number of judges in the Supreme Court to 37 — excluding the Chief Justice of India.

The May 16 Gazette notification says “Parliament is not in session and the President is satisfied that the circumstances exist which render it necessary for her to take immediate action [issue of ordinance]”.

The Supreme Court (Number of Judges) Amendment Ordinance, 2026, has been promulgated in accordance with the powers of the President under Article 123 of the Constitution. The ordinance will be placed in both Houses of Parliament when it convenes. It will cease to operate if six weeks expire without any resolution passed on it after the reassembly of Parliament or if resolutions are passed in both Houses of Parliament disapproving the ordinance. The President can withdraw the ordinance at any time.

The ordinance has amended Section 2 of the Supreme Court (Number of Judges) Act, 1956 to replace the word “thirtythree” with “thirtyseven”.

The promulgation has happened nearly two weeks after the Union Cabinet approved the proposal to increase the number of Supreme Court judges. With the ordinance in place, the total sanctioned judicial strength in the Supreme Court, including the Chief Justice of India, will rise from 34 to 38.

The move is seen as a step towards tiding over the continuing crisis of pendency plaguing the court for years now, especially after the COVID19 pandemic, when the facility of e-filing of cases caught on.

The current backlog is over 93,000 cases.