



## A comparative analysis of the Haryana High Court and the District Courts in Haryana, structure, jurisdiction, and functioning

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**Abstract:** This study presents a comparative analysis of the **Haryana High Court** and the **District Courts in Haryana**, focusing on their **structure, jurisdiction, and functioning**. The Haryana High Court, as a constitutional court, exercises appellate, supervisory, and original jurisdiction, primarily dealing with civil, criminal, constitutional, and administrative matters at a higher level. In contrast, District Courts function at the subordinate level, addressing original jurisdiction cases in both civil and criminal domains. The study outlines the organizational hierarchy, types of benches, and specialization of courts in both systems. It examines the procedural frameworks, case management practices, and the application of technology such as e-courts initiatives. Key differences in workload, efficiency, and accessibility are analyzed, highlighting the challenges each faces, such as case pendency and resource allocation. Furthermore, the research discusses the relationship between the High Court and District Courts, especially concerning supervisory powers under Article 227 of the Constitution of India. By understanding these aspects, the paper seeks to provide insights into improving judicial efficiency and access to justice in Haryana.

**Keywords:** Haryana High Court, District Courts, Judiciary, Jurisdiction, Comparative Study, Justice Delivery

**Introduction:** The judiciary is the backbone of a democratic society, ensuring the rule of law, protection of rights, and impartial adjudication of disputes. Within India's judicial framework, each state maintains its own High Court alongside a network of subordinate (district and lower) courts to administer justice at various levels. Haryana, a state carved out of the erstwhile Punjab in 1966, established its judicial system in alignment with the constitutional provisions and judicial traditions of India.

At the apex of Haryana's judicial hierarchy stands the **Punjab and Haryana High Court**, located in Chandigarh, which exercises jurisdiction over both Haryana and Punjab, as well as the Union Territory of Chandigarh. Beneath this High Court, a structured network of **District and Subordinate Courts** operates across Haryana's districts to ensure accessible justice to the populace at the grassroots level.

This comparative study examines the **structure, jurisdiction, and functioning** of the Haryana High Court vis-à-vis the District Courts of Haryana. It explores their respective compositions, the scope of their judicial powers (original, appellate, and supervisory jurisdictions), procedural differences, administrative roles, and





functional challenges. Special attention is given to how each institution contributes to upholding constitutional mandates, delivering justice efficiently, and responding to the evolving legal needs of society. By drawing comparisons between the High Court and District Courts, this study aims to provide a nuanced understanding of the **multi-tiered judicial system** in Haryana. It seeks to highlight the interdependence of higher and lower judiciary bodies and assess the effectiveness, strengths, and systemic issues within each tier, contributing to broader discussions on judicial reforms and access to justice in the Indian context.

### Structure and Jurisdiction:

Aspect	Punjab and Haryana High Court	District Courts in Haryana
Location	Chandigarh	In every district headquarters of Haryana
Jurisdiction	Appellate, Original, Writ, Supervisory	Civil, Criminal, Revenue jurisdiction at local level
Hierarchy	Apex judicial authority for Haryana and Punjab	Subordinate to High Court, reports to it
Bench Strength	Chief Justice + Other Judges (varies; sanctioned strength over 85 judges)	District & Sessions Judges, Additional Judges, CJs, etc.

### Administrative Setup:

Aspect	Punjab and Haryana High Court	District Courts in Haryana
Administration	Registrar General oversees administration; Registrar Judicial, Registrar Vigilance assist	District & Sessions Judge is administrative head
Recruitment	Haryana Judicial Services Exam; Direct recruitment of High Court staff through the High Court	Recruitment through Haryana Public Service Commission (HPSC) and Haryana Staff Selection Commission (HSSC)
Infrastructure	Heritage building (Le Corbusier designed); Modern court complexes being developed	Varies by district; newer court buildings better equipped

### Functions of the Haryana High Court:

**Constitutional Authority:** Acts as the highest judicial authority in the state of Haryana, empowered to interpret and uphold the Constitution. In the context of the **Haryana High Court**, the term "**Constitutional Authority**" generally refers to the **judicial and administrative powers exercised by the High Court** under the **Constitution of India**. The Haryana High Court shares its jurisdiction with Punjab and is officially known as the **Punjab and Haryana High Court**, located in **Chandigarh**. Haryana shares its High Court with Punjab, under the name Punjab and Haryana High Court. The court has jurisdiction over the states of Punjab, Haryana, and the Union Territory of Chandigarh





- **Article 214:** Provides for a High Court in each state.

**Original Jurisdiction:** Handles writ petitions under Articles 226 and 227 of the Constitution (for enforcement of Fundamental Rights and judicial review).

- **Article 226:** Grants High Courts the power to issue **writs** (such as habeas corpus, mandamus, prohibition, quo warranto, and certiorari) for the enforcement of **fundamental rights** and for **any other legal right**.
- **Article 227:** Empowers High Courts with **supervisory jurisdiction** over all courts and tribunals within its territorial jurisdiction (except those dealing with armed forces).

**Appellate Jurisdiction:** Hears appeals from lower courts (civil, criminal, and special tribunals). Appellate jurisdiction refers to the power of a higher court to review, revise, or overturn the decisions made by lower courts. It is one of the primary functions of higher judiciary bodies such as High Courts and the Supreme Court in many legal systems, including India, the United States, and the United Kingdom.

- **Nature of Function:** Appellate courts do not conduct a fresh trial. Instead, they review the legal correctness of the decisions made by lower courts. They assess whether the law was interpreted and applied properly, whether due process was followed, and whether the evidence supports the judgment.
- **Levels of Appeal:** Typically, there are multiple levels of appeal. For instance, a case decided by a trial court can be appealed in a High Court, and in certain circumstances, the decision of the High Court can further be appealed in the Supreme Court.
- **Scope:** Appellate jurisdiction can apply to both **civil** and **criminal** cases. The scope of appellate jurisdiction may differ based on the type of case and the specific laws governing the matter.

**Supervisory Jurisdiction:** Supervises and monitors the functioning of all subordinate courts in Haryana to ensure proper administration of justice. The **Supervisory Jurisdiction of the Haryana High Court** refers to the powers conferred upon the High Court to supervise and oversee the functioning of the subordinate courts and tribunals within its territorial jurisdiction. This jurisdiction is granted under **Article 227 of the Constitution of India**, which applies to all High Courts in the country, including the Punjab and Haryana High Court (which has jurisdiction over the states of Punjab and Haryana and the Union Territory of Chandigarh).

**Administrative Functions:** Recruitment, posting, promotion, and disciplinary control of judicial officers in the state judiciary. The **Haryana High Court**, officially known as the **Punjab and Haryana High Court** (since it serves both Punjab and Haryana), performs various **administrative functions** in addition to its judicial role. These administrative functions are crucial for the smooth functioning of the judicial system in the state.

**Advisory Role:** Provides legal opinions to the Governor of Haryana when referred under the Constitution. The Haryana High Court, like other High Courts in India, primarily exercises judicial functions, including constitutional, civil, and criminal jurisdictions. However, the **advisory role** of the High Court is limited and not as explicit as that of the Supreme Court under Article 143 of the Constitution of India.





- **Judicial Precedents and Legal Clarifications:** When the Haryana High Court delivers judgments on legal, constitutional, or administrative matters, these rulings often serve as guiding principles for:
- **Public Interest Litigations (PILs):** Through PILs, the High Court often advises or directs the government on matters of public welfare, environmental protection, human rights, and administrative efficiency. Though these directions are binding, they carry an **advisory spirit in terms of governance reform**.
- **Reference from Subordinate Courts:** Under certain circumstances, subordinate courts may refer questions of law to the High Court for clarification. This mechanism allows the High Court to play a **quasi-advisory role**, ensuring uniform interpretation of laws across the judiciary.
- **Judicial Review of Government Policies:** When the High Court reviews government policies or legislation for constitutionality or legality, it may issue observations and recommendations. These do not always result in binding orders but can influence **policy-making and legislative improvement**, reflecting an advisory capacity.

**Contempt of Court Jurisdiction:** Has the power to punish for contempt of itself and of subordinate courts. Contempt of court is a legal concept used to protect the authority and dignity of the judiciary. It refers to any behavior or action that disrespects the court or interferes with the administration of justice. The **Contempt of Courts Act, 1971**, governs this concept in India.

- **Civil Contempt** – Willful disobedience to any judgment, decree, direction, order, or other process of a court.
- **Criminal Contempt** – Publication or conduct which scandalizes or lowers the authority of the court, prejudices judicial proceedings, or obstructs the administration of justice.

#### Functions of District Courts in Haryana:

- **Original Jurisdiction:** Serve as courts of first instance for civil and criminal cases in their respective districts.
- **Trial Courts:** Conduct trials in both civil disputes (property, contracts, family law) and criminal matters (offenses under IPC and special laws).
- **Appellate Jurisdiction:** Certain District Courts (like District and Sessions Courts) hear appeals against decisions of subordinate courts like Civil Judges and Judicial Magistrates.
- **Specialized Courts:** Some District Courts have special courts like Family Courts, Labour Courts, Consumer Courts, and Motor Accident Claim Tribunals (MACT) for particular types of cases.
- **Administrative Role:** Maintain records, oversee court staff, and ensure the smooth running of courts within the district.
- **Execution of Orders:** Responsible for enforcement and execution of their own decrees and orders.

**Comparative Points:** A comparative study between the **Haryana High Court** and **District Courts** in Haryana involves analyzing their structure, jurisdiction, functions, and role in the judicial system.

- **Hierarchy:** High Court is superior; District Courts are subordinate.
- **Jurisdiction Scope:** High Court covers the whole state; District Courts cover individual districts.
- **Types of Cases:** High Court deals with complex constitutional and appellate matters; District Courts primarily deal with fact-finding and initial adjudication.
- **Powers:** High Court can transfer cases, revise lower court orders, and issue writs; District Courts have limited powers restricted to trial and first appeal in most cases.





### Comparative Observations:

Feature	High Court	District Courts
Efficiency	Better organized but burdened.	Highly burdened and slow in disposal.
Quality of Justice	Higher quality judgments; more reliable.	Mixed quality; depends on district and individual judges.
Accessibility	Harder for rural litigants.	Easier local access.
Resources	Relatively better funded.	Scarcity of funds and amenities.
Role in System	Ensures constitutional governance.	Provides day-to-day justice to citizens.

**Conclusion:** While both the Punjab and Haryana High Court and District Courts in Haryana aim to deliver justice, their nature of functioning significantly differs due to the type of cases handled, administrative structures, and operational challenges. The High Court focuses on **legal precedents, constitutional interpretation, and supervisory jurisdiction**, whereas the District Courts focus on **direct application of law to disputes at grassroots levels**. Continued judicial reforms, including digitization, better infrastructure, and an increase in judicial manpower, are essential for improving the functioning of both institutions. **Haryana High Court** holds a higher judicial standing with broader jurisdiction and authority, while **District Courts** serve as the primary adjudicative body at the grassroots level, handling most cases at the first instance. The High Court plays a key role in shaping judicial precedents and overseeing the functioning of lower courts, while District Courts are more involved with the direct resolution of disputes within their jurisdictions.

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