

CRISIS OF CIVIL JUSTICE DELAYS IN PAKISTAN: CHALLENGES AND INNOVATIONS

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Abstract

This research paper examines the issue of delay in the Civil Justice System of Pakistan (CJSP) through exhaustive qualitative analysis aiming to diagnose the main causes behind the delays in civil trials. The dispensation of "expeditious and inexpensive justice" to the people of Pakistan has been guaranteed in the Constitution of Pakistan but it has virtually been denied by unjustified and inordinate delays in deciding a civil case. Overall, CJSP has been globally ranked at 129th and in terms of unreasonable delay in civil justice, it has been ranked at 111th of the total 142 countries of the world in the Rule of Law Index, 2023. It appears to be the true interpretation of the legal maxim "Justice delayed is justice denied". It not only affects the litigant psychologically but also burdens them financially. Despite concerns and measures taken by the stakeholders, it has not been curtailed rather increasing day by day with the increase in the population and filing of fresh cases. It has become one of the chronic predicaments in CJSP, which is likely to grow like cancer in the human body in the absence of rapid and profound proactive measures. This paper proposes innovative feasible reforms with a multidirectional approach for curtailing such delays; including robust case Management, promoting A.D.R mechanisms, recording of evidence by appointing commissioner and through video calls, the constraint on appeal/revisions against orders on interlocutory applications, removing linguistic barriers etc.

Keywords: *A.D.R mechanisms, civil justice system, delays, expeditious justice, innovative reforms.*

1. INTRODUCTION

The dispensation of speedy justice is the prime responsibility of any state, the failure of which, would lead the society to anarchy. This concept has been enshrined in Article 37 of the Constitution of Pakistan, which guarantees "inexpensive and expeditious justice" to the people of Pakistan by providing safeguards in terms of "fair trial and due process" through Article 10-A of the Constitution. However, this guaranteed right has practically been denied by inordinate and unjustified delays in the disposal of civil cases. Civil cases, which may involve issues such as property disputes or contract breaches have been languishing in the justice system for years. A legal maxim "Justice delayed is justice denied", is well known to the legal fraternity, as well as, the public alike. This means that, if a person does not get legal redress from a court of law in a reasonable time, he is denied justice (Bhandari, n.d.). A litigant normally expects a decision on his case within a reasonable time frame and if he fails to get it, his faith in the justice system gets eroded. In the administration of justice, delay in disposal of cases, is a matter of great concern for everyone in the Country. This concern is not unfounded. In an analysis of data on condemned prisoners, the dominant factor in murder cases is civil disputes, which last for decades due to delays in deciding such disputes. This increases the likelihood of violence as a means of settlement of their disputes as opposed to protracted, time-consuming trials, for which people frequently have to wait for generations (Justice Project Pakistan, 2018). Delays in deciding civil disputes increase backlog in the Courts. A backlog occurs when there is a significant accumulation of pending cases that exceed the capacity of the judicial system to process them promptly. Research has established that the pendency of suits in the courts is continuously increasing in Pakistan, showing the incapability of the system to provide timely justice (Bilal & Khokhar, 2021). A study results demonstrate that in the courts of Pakistan, a party to a civil suit has to pay continuous visits and a defendant has to visit the court 72 times to get the civil suit decided (Khan, F. S.,2004). These visits to courts not only burdened the parties financially but also psychologically. Globally, the report of the World Justice Project Rule of Law Index®2023 has placed the Civil Justice System of Pakistan (CJSP) at 129th and particularly, in terms of unreasonable delays, placed it at 111th of the total 142 countries of the world (Rule of law index, 2023). This delay has weakened the public confidence in the judiciary and they directly blame courts

for the delays in the disposal of civil suits. Inordinate delays in the trial have not only eroded the confidence of the public in the Civil Justice System of the Country but also added to their problems and suffering by making them feel helpless, frustrated, and in pain. However, at the same time, the increase in the institution of fresh cases in the courts is indicative of the fact that the people still believe that the last door for them to get justice is the courts. This trust must not be degraded further otherwise, the anarchy will prevail in the society. No doubt, the delays in the trial have remained a global problem but in Pakistan, it reached a point of "Do or Die". This is the peak time when stakeholders like policymakers, judiciary and bar should try to look for solutions to address this issue holistically.

SCOPE AND OBJECTIVES

This study aims to unveil the glitches in the Civil Justice System causing delays in the decision of a case and then to propose innovative feasible solutions for reduction in delays. This study will be useful in navigating challenges and pioneering path-breaking reforms in the speedy disposal of civil suits in the courts of Pakistan. The findings of the research will also assist the stakeholders in bringing reforms in the system for the restoration of the confidence of the public in the Courts.

2. LITERATURE REVIEW

The State's promise of expeditious justice for its citizens is violated by the pendency of a huge number of civil cases in the courts. However, it is important to take into account the distinction between speedy justice and unreasonable delays. Speedy justice does not mean that a civil suit shall be decided overnight as the adjudication of the dispute requires appropriate time from filing of suit in Court till it is decided by way of Judgment of a Court (CEPEJ studies, 2006). There is a specified legal procedure for deciding a suit which includes, identifying the disputed issues between the parties, production of evidence, decide the legal issues, therefore, to conclude, the Court requires a reasonable time. (Anderson & Gray, 2006). As a result, it makes sense that the court will take reasonable time to decide a civil suit and that amount of time can not be considered as delay. But, the reasonably expected delay cannot be an indefinite period or years together, that's problematic. Thus, keeping in view the norms of fair trial, the balance must be maintained while defining delay in trial and expeditious justice. According to *Balakrishnan (2007)*, delay in trial refers to the

time spent in deciding a civil suit, in addition to the time within which the judgment of the court is reasonably expected. Reiling and Hammergren have defined the delay in disposal of a case, as the time spent in deciding a case that exceeds the bearable waiting period of the litigant (Reiling, D., et. all, 2007). The studies evince that the problem of delays in a trial is a global problem but in Pakistan, it reached to such an extent that it eroded the civil justice system itself. It has weakened the confidence of the public in the Courts (Iqbal, 2006). The severity of the problem can be judged from the fact that there was a pendency of about 2.5 million cases in the courts of Pakistan and as per safe estimation, considering the pace of disposal of cases, the backlog would be cleared in about 15 years subject to non-filing of fresh suits in this period (Akhtar, et al.,2008). As per the report of (International Crisis Group, 2008), a civil suit takes about 20 years to be decided by the Court in Pakistan and it further takes 05 years, to get the decree of the Court executed. Having a stock of the situation, a former Chief Justice of Pakistan, Mr. Justice Asif Saeed Khosa, at the full court reference, has articulated that “I would also like to build some dams, a dam against undue and unnecessary delays in judicial determination of cases, a dam against frivolous litigation and a dam against fake witnesses and false testimonies and would also try to retire a debt, the debt of pending cases which must be decided at the earliest possible.”(Bhatti, 2019). The issue of delays in the CJSP has continuously been addressed in the past. For this reason, several Law Reform Commissions and Committees were established to investigate and assess the reasons behind the delays as well as recommend suitable reform initiatives. These Commissions/Committees conducted a thorough analysis of the procedural laws and rules and proposed appropriate measures for reform thereof. However, very few suggestions were implemented/acted upon (Law & Justice Commission). In the recent past, the National Judicial Policy Making Committee has examined this issue and suggested some measures for reducing such delays including the establishment of Model Civil Appellate Courts (MCAC) in each district to achieve time-bound decisions of cases. However, in practice, no new court was established but one of the already existing courts was declared as MCAC and that too, for hearing appeals. No trial Court was declared a Model Court to expedite the disposal of cases. No doubt, these Model Courts may be one of the solutions to rejuvenate the crippling CJSP under current resources and without any amendments in the law but it is just like a pain killer medicine, which would not treat the main disease. To address this issue, a multidirectional approach is needed. It can be explored by systematic investigation into the system itself.

The Justice System of Pakistan follows the Adversarial System of Justice. (Mehmood Ali, 2015). This system has also been adopted by countries, such as the United Kingdom, Australia, New Zealand and India. In this system of justice, the role of a Judge is like a Referee or a Neutral person. Justice (R) Fazal Karim, in his book "Access to Justice in Pakistan", has stated, "The nature of adversary litigation is such that it is the parties, who are responsible for the preparation and presentation of their cases, during the interlocutory stages and at trial. They decide on the legal and factual issues to be presented to the court and have complete control in the matter of factual investigation for that purpose. This necessarily means that the pace at which, the proceedings are pursued is largely dictated by the parties and the traditional role of the court is to adjudicate when called upon to do so" (Fazal Karim, 2015). In this system of Justice, previous decisions of the higher courts on a question of law are binding upon the lower courts. Apart from the Courts, there are other stakeholders of the justice system, which include the bar, litigant parties and the state departments. However, only the Courts are being blamed by the public and media for their failure to decide the cases expeditiously, which causes piles of huge backlogs. A litigant believes that the judiciary alone can bring the pendency of cases to zero by accelerating the disposal of cases but anyone familiar with the justice system knows that it is a mere fantasy. No doubt, the task of imparting justice may fall within the mandate of the Judiciary, but the judiciary alone can not be blamed for delay in the disposal of cases for the failure of other limbs of a state that have failed to perform and deliver (Rajput, 2023).

Now coming to the moot point as to where the real problem lies and who is responsible for such delays in the justice system, it is to be noted that Judges and lawyers, who both come from the same fraternity, accuse one another of being the responsible for the system's obstruction, either because of incompetence or because of vested interests. According to the lawyers, judges' ineptitude and corruption delay the administration of justice. The bench, on the other hand, accuses the lawyers of sabotaging the legal system by routine strikes, seeking frequent adjournments, and filing spurious petitions. There can be no two opinions that the judiciary is overburdened due to which, the cases are not being decided in time as directed by the National Judicial Policy Making Committee. The bar is also equally responsible for such delays as it is a complaint of litigants as well as the courts, especially the district judiciary, that the lawyers of the parties do not attend the cases regularly in the courts and this may be due to the reason that the busy members of the bar are also overburdened and they have little time to attend to every case. The delay is also being caused by the litigant,

who has a weak case and wants to prolong the trial for his vested interests. The state departments like Revenue are responsible in such a way that they do not redress the grievances of the people despite having been provided such mechanism under the Land Revenue Act. The non-performance of duties according to law by different institutions and departments is one of the major causes of huge backlogs and delays in the disposal of cases (Kamboyo, 2015). However, the ultimate costs are borne by the actual litigant, in terms of money, wastage of time, and mental agony, who knocks on the doors of the court hoping for speedy justice under Article 37 (d) of the Constitution of Pakistan.

No doubt, the delay in disposal of cases is a chronic but curable disease in CJSP, which causes discomfort and depression in people of the country. Until and unless the causes of delay are not diagnosed, any step for a reduction in delay would be just cosmetic. In the case of Allah Bakhsh, (2005), the High Court has observed that Court delays have become the major ground of criticism against our system of administration of justice. This can be rectified by a collective effort to plug every leaking point so that the delay can be reduced as far as possible. The delay in submission of written statement, the filing of miscellaneous petitions, the frequent adjournments for the production of evidence, the lack of application of mind for choosing the proper mode of summons, the failure to avail the facility of Rule 10-A of Order V, C.P.C. for the issue of several processes of service simultaneously, the unnecessary insistence of proving certified documents by oral evidence of official witnesses etc. etc., are some of the areas mainly responsible for causing delay in the disposal of civil suits. The due attention to these issues can certainly curtail the delay. To be very precise, if the causes of delay are addressed properly then this delay would be reduced to a satisfactory level, if not completely removed. In such an attempt, some of the main challenges in curtailing delay in the disposal of civil cases are highlighted here:-

CHALLENGES IN CURTAILING THE DELAY IN THE DISPOSAL OF CIVIL CASES:

3.1). Old and Outdated laws: Most of our laws are old and outdated. The Code of Civil Procedure, which is being followed in civil trials, is of 1908. With these outdated and old laws, how a justice system can work efficiently? These must be updated and redrafted (Salauddin, 2016). Mr. Justice Mian Saqib Nisar, former Chief Justice of Pakistan has also observed that the old and outdated laws are the main hurdle in the speedy dispensation of justice in the country and these laws are in dire

need of being redrafted (Outdated laws: CJP 2018). Similarly, Justice Jawad S. Khawaja, a former Chief Justice of Pakistan, asserts that the common law system's design makes delays in the judicial process inevitable. He claimed that the reason the legal system has stagnated is because the laws have not changed over time (Khawaja, 2015).

3.2). Excessive Workload on Judges:- The judiciary is overburdened with cases (Rehman, 2018) and the backlog of undecided cases becomes a bottleneck for the even flow and early disposal of cases because the cases keep piling up, and the time between institutions of cases to their disposal keeps increasing as an ever-widening gap (Bandial, 2018). Research-based on the statistics of the pendency of cases in the Courts has established that the huge backlog of cases in the Courts of Pakistan has become one of the main reasons for evading the speedy decisions of civil suits (Ali, 2022). Heavy workload badly affects the capacity and performance of a judge. How can a common man expect speedy justice from the system if a judge is already overburdened? (Sattar, 2012).

3.3). Court Management: Due to a heavy backlog, many cases are fixed in a single day, due to which, proceeding with all the matters on that day is not feasible. According to (Coolsen, 2008), effective case management is not possible without a manageable board of cases in a court.

3.4). Frequent Adjournments: Making deliberately frequent adjournments by the counsel and parties to a case is also one of the important causes of delay. The stakeholders of the justice system are on one page that frequent adjournments are the major cause of delay in deciding cases (Ghazi, 2006; Siddique, 2010)

3.5). Unnecessary time consumption in evidence: The recording of evidence takes too much time. One of the reasons for this is the fixation of several cases for evidence in the daily cause list; secondly, the non-appearance of the witnesses on the pretext of one or the other reasons. The procedure of recording evidence in court is that the testimony deposed by the witness is to be dictated by the judge, which takes some time.

3.6). Judge–Population Ratio:- The number of Judges is highly disproportionate to the population of the country (Shehzad, 2015). The former Chief Justice of

Pakistan, Mr. Justice Asif Saeed Khosa has also noted that “there are 1.9 million pending cases in the entire country with only 4,000 judges and even if the entire judiciary consisting of all judges of the Supreme Court, all high courts and subordinate judiciary work day and night for 36 hours a day with 4,000 judges, it cannot clear the cases” (Reporter, 2018). As per the Digital Census of Pakistan, 2023 total population of Pakistan is 241.49 million people while the total number of judges is 4000 and if the judge population ratio is calculated, it comes to 16 judges per million population (Census, 2023), which is very low as compared to the technologically developed nations. For instance, in the UK and USA, there are more than 100 judges for the one million population. Similarly, the population ratio in Australia is 41 and in Canada is 75 per million population. Nawaz, (2003) noted that it is also necessary to proportionalizes the judge-population ratio because it is difficult to manage the enormous backlog of cases if the number of judges is insufficient. A study by (Tabassum.S, et al.,2021) reflected that the number of judges and the dispensation of justice are mutually co-related and an increase in the number of judges has a positive or substantial impact on the dispensation of justice in the district judiciary of Pakistan.

3.7). Strike of Bars:- This is one of the main reasons for delays in cases (Rehman, 2018). The strikes of the bar have brought the district judiciary into a difficult and inescapable position as on one hand, the High Courts and Supreme Court are issuing directions for early disposal of cases while on the other hand, lawyers are not cooperating with the Courts.

3.8). Lack of A.D.R facilities:- Alternative dispute resolution (ADR), is one of the ways to shift the burden from the Courts but despite of availability of this provision in the Code of Civil Procedure, it has not been adhered to. One of the main reasons for this is the lack of ADR mechanisms and facilities, in practice; such as arbitration, mediation etc. The other is a lack of promotion on the state level (Jillani, 2006). In the recent past, legislatures have promulgated legislation on ADR, including the Code of Civil Procedure (Sindh Amendment) Bill, 2018, Islamabad's ADR Act, 2017, and the Punjab Alternate Dispute Resolution Act, 2019. Moreover, Sindh High Court and Lahore High Court have established "Court annexed mediation centres", allowing trial Courts to send the cases for their resolution through ADR. However, the area of concern is that this law lacks implementation and lack of promotion.

3.9). Lawyers Busy Schedule: Some of the leading lawyers are overloaded with their cases and to maintain their caseload, they seek frequent adjournments. It results in clogging the justice system and wasting the time of the Court without any progress in the case (Sattar, 2012).

3.10). Procedural Complexity. Pakistan is following a colonial outdated and complex law, which is misused by the lawyers and parties to delay the trial (Ghazi, 2006). This procedural law is inbuilt complex.

3.11). Linguistic barrier: The literacy rate of Pakistan is very low and the laws are in English instead of local language (s). The language of the laws is highly technical and difficult for a common man to understand. Keeping in view this problem in mind, former Chief Justice of Pakistan, Mr Justice Jawad S. Khawaja, passed a judgment whereby, he ordered for change of language of the judicial system from English to Urdu, and expected that this would result in a speedy decision by the Courts (Khawaja, 2015).

3.12). Lack of infrastructure: The lack of judicial infrastructure also causes delays and one can notice it by visiting the City Courts in Karachi.

3.13). Interlocutory applications: In civil cases, filing of, and decisions on interlocutory applications like applications under Order, XIX, rule 1,2 C.P.C, applications under Order VII, rule 11 C.P.C and so so forth are also causing delays in the disposal of Civil Suits. Secondly, the right to appeal against orders on such applications is misused to delay the trial (Marrijuddin, 1996). The Sindh High Court while addressing this issue, has proposed constraints on appeal and revisions against such orders on interlocutory applications, which could reduce the delay in civil matters (Law & Justice Commission of Pakistan, 2003).

3.14). Service of process: After the institution of a civil suit, the defendant is summoned to the Court through the process server/bailiff of the Court. However, the service upon the defendant takes too much time. The data shows that the suits are adjourned due to the non-serving of summons/notices upon the parties by the process server (Peshawar High Court, 2011). There are general complaints by the parties to the civil suit that either the process servers submit incorrect reports or they are negligent in the timely service of summons upon the defendant.

3.15). Non-resolving of Disputes by Revenue officers: Ali & Nasir, (2010), estimated that about 50% to 75% of the civil cases filed by the parties are in respect of disputes related to land owing to wrong or fraudulent entries in the record of rights,

incorrect demarcation of boundaries, and transfer of same land to multiple parties and in such like cases, finding a reliable evidence is a difficult task. A complete mechanism has been provided under the Land Revenue Act, empowering the revenue officer to decide the disputes of the parties but the same has not been adhered to, in its true letter and spirit.

3.16). Parties to litigation: In a civil suit, the parties to suit, have a major role in the delay of trial and an example of it is, that one of them or their counsel is not present at the time of evidence, which makes the litigation more prolonged. They prolong the trial for their motives.

3.17). Frivolous litigation: According to Khan, G.M, (1988), comparatively a small portion of genuine litigation is brought before the court while the rest of the litigants come to court not getting justice but to prolong the injustice. Unfortunately, there is no effective mechanism or law in Pakistan for discouraging frivolous litigation (Azad, 2012).

3.18). Non-implementation of the law of imposing costs: Non-imposing costs would encourage the clever and chronic litigant to prolong the civil suits for several years. Section 35 C.P.C empowers courts to impose costs but it has limited application. Even otherwise, in practice, such provision is rarely invoked by the Courts, which encourages the filing of false litigation. As a consequence, such false and frivolous ligation clogs the system. To deter delaying tactics on behalf of parties, who abuse the process of the Court to delay and preempt timely adjudication of cases, the legislature promulgated the "Cost of Litigation Act, 2017", whereby the Civil Courts functioning in the Capital territory of Islamabad, had given ample powers to take penal action against any party that causes delay in the adjudication of matters pending before it. Under this law, a Civil Court is under an obligation to impose a minimum adjournment cost of Rs.5000/- per adjournment, unless the Court is convinced that the adjournment has been sought "on account of unavoidable reasons". Imposition of adjournment cost also puts a party on notice that the Court will exercise its discretionary penal powers under the C.P.C. to discharge its obligation to adjudicate the case before it on merits in a timely fashion. However, this law is only applicable to the capital territory only.

3.19). Remand of cases by the appellate Courts: The unnecessary remand of the case to the trial Court causes prolongation of the agony of the parties. If the

appellate court proceeds with the matter and finds it fit, may decide the same on merit without remanding the case to the trial court. It would minimize the hardships of litigants and unnecessary delays in the disposal of cases.

3.20). Corruption in the judiciary: There is a perception of corruption in the justice system of Pakistan (CPI, 2022). Former Supreme Court judge, Mr Justice Maqbool Baqar has said that “the judiciary is no exception when it comes to corruption”(Khan, 2023). In recent research, it was observed that corruption in the justice system has serious negative effects, such as deteriorating public confidence in the system, sustaining socioeconomic inequalities, and encouraging a culture of impunity (Imran et al., 2023).

3. METHODOLOGY OF THE STUDY

In conducting research, primarily empirical research methodology has been adopted to examine the existing state of the delay in civil trials. The diagnostic approach is adopted to identify the major causes of such delays followed by the out-of-the-box approach to suggest feasible innovative pathways to reduce such delays. In this process, various books written on the topic, different research papers, and reports published by different bodies and organizations have been consulted.

4. CONCLUSION

Delay in the civil justice system is a global problem but the situation in Pakistan has reached an alarming point of “Do or Die”. There is a massive ballooning backlog of civil cases in the courts and people's trust in the Courts is being undermined by this delay. There are many factors contributing to this persistent multifaceted problem of delays in CJSP. These include financial, geographic, linguistic, logistical, complex procedure, lack of judges, or gender-specific. As the contributing factors are multiple, the strategy to improve the situation also needs to be multidirectional with innovative solutions. To reduce the delays in the disposal of a civil suit, the following are some feasible suggestions:

5. RECOMMENDATIONS

- 1). Legal aid at the state level may be provided to the needy and wide publicity of the legal aid being provided by the State must be done through all mediums.

- 2). The justice system should be accessible in local languages by introducing a user-friendly portal for litigants.
- 3). To clear the backlog, the High Courts should be allowed to appoint judges on an ad-hoc basis, with or without honoraria, for a period of 06 months to 09 months, while the evidence in a certain category of cases mandatorily is recorded by the commissioners to be appointed by the trial courts. This will reduce workload on the judges, as well as, speed up the disposal of cases.
- 4). The parties should not be allowed adjournments more than 07 times in a trial, that too, with reasonable ground, and after that, the party seeking adjournment may be burdened with heavy costs. The losing side shall pay the cost of litigation and during the trial, if in the opinion of the court, any party is found abusing the process of the court or filing a false and frivolous application or found to be relied on false averments, it should be penalized by "special Cost". The applicability of the "Cost of Litigation Act, 2017", should be extended to the whole of Pakistan.
- 5). An innovative approach may be adopted in reducing the length of the trial, while upholding fairness, which includes the service of summons through mobile phones, WhatsApp, etc. A service upon the defendant/respondent may be considered held good, if the person served with notices is his family member, whether male or female.
- 6). Although, the Alternative Dispute Resolution (ADR) is already in place but lacking promotion, therefore, it must be promoted through mainstream media and social media so also providing this facility at least in every Taluka/Tehsil. At the same time, the parties should be encouraged to explore these options before proceeding with litigation. There must be the issuance of a pre-admission notice whereby directing the parties to participate in the ADR procedure. This can aid in settling disputes even before filing the suit. Moreover, Online Dispute Resolution (ODR) can be the best tool for adding to a civil justice system. However, initially, it should be used for resolving minor claims, with one court on a pilot project.
- 7). Implement the policy of virtual hearings instead of insisting on physical appearance, especially for routine matters. Depending upon the nature of the case, the

courts may allow the recording of evidence through modern devices including video calls, Skype, WhatsApp, Facebook Messenger, etc.

8). Fast-track procedures may be adopted for identifying and quickly deciding the cases of small claims up to one hundred thousand rupees.

9). Lawyers and judges must be imparted training to update with innovations and best practices.

10). There is already a system in place for making complaints against judges. However, a user-friendly portal should be established for online complaints against the staff of Courts and court birds regarding corruption. However, in case of a false complaint, there must be strict action against the complainant.

11). The more a society is educated and civilized, the more it is aware of rights and duties and fairer in dealing which in turn lessens the litigation, therefore, the awareness of law in the public be promoted. Public awareness campaigns should be launched to sensitize them to resolve their disputes through legal means.

12). Judgment writing consumes much of the time of courts, therefore, the judges must be familiar with concise judgment including issues, findings, legal reasoning, and the decision on the case instead of writing the entire facts and proceedings of the suit.

13). To speed up the court's work, the outdated, convoluted procedures have to be simplified.

14). To facilitate simple access to prompt justice, ministerial employees should have proper training and modern information technology should be fully utilized.

15). The enforcement of the decree/decision of the case must be started automatically after judgment, without filing an execution application, to ensure compliance with the judgment.

16). Like Model Civil Appellate Courts (MCAC), the Civil Model Trial Courts (CMTC) are established for time-bound decisions of suit by scheduling the hearing of the suit.

The task may seem daunting when looking at the proposed innovative solutions, but it can be accomplished with dedication, investment, and collaboration among government agencies, the legal community, and civil society. It is suggested that a district be selected for a pilot project with monitoring and evaluation of these reforms to ensure their effectiveness and sustainability in improving the civil justice system in Pakistan. Future research endeavours should focus on the amendment in law and legal transplant by comparative studies of the Civil Justice system of the countries, whose rankings in the rule of law index are higher.

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