



E-ISSN: 2789-8830  
P-ISSN: 2789-8822  
IJCLLR 2025; 5(1): 181-186  
[www.civillawjournal.com](http://www.civillawjournal.com)  
Received: 01-01-2025  
Accepted: 06-02-2025

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## Judicial oversight in tribunals: Balancing justice and efficiency

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**DOI:** <https://doi.org/10.22271/civillaw.2025.v5.i1c.133>

### Abstract

The judiciary in India has been instrumental in shaping the development and functioning of tribunals as a mechanism for specialized dispute resolution. With the increasing complexity and volume of cases, tribunals were introduced to reduce the burden on traditional courts and ensure faster adjudication in specific domains such as taxation, administrative disputes, and service matters. The judiciary has been instrumental in ensuring that tribunals operate within the framework of constitutional principles, particularly by upholding judicial independence and the rule of law. Through landmark decisions, the courts have addressed challenges related to the autonomy, efficiency, and fairness of tribunals. Additionally, the judiciary has provided guidelines for their establishment, composition, and functioning to ensure they meet the standards of justice delivery. This paper examines the judiciary's role in the development of tribunals in India, focusing on its efforts to strike a balance between specialized adjudication and upholding constitutional protections.

**Keywords:** Judiciary, tribunals, India's justice, administrative

### Introduction

India's judiciary is a fundamental pillar of democratic governance, upholding the Constitution as the highest authority. As an autonomous and unbiased institution, it protects individual rights and freedoms while monitoring and balancing the powers of the executive and legislature. The judiciary has been instrumental in the establishment and evolution of the tribunal system in India, ensuring it aligns with constitutional principles and fosters efficient dispute resolution. From upholding the validity of establishment of tribunals by Article 323A and 323B to ensuring that it deliver unbiased justice, The judiciary has been central to the creation and advancement of an effective tribunal system in India. The judiciary's proactive role has significantly shaped the tribunal system into an integral part of India's justice delivery mechanism, bridging the gap between specialized adjudication and constitutional safeguards. The judiciary has actively supported the establishment of tribunals in India since the beginning. The Supreme Court emphasized the necessity of establishing Administrative Tribunals, noting the growing number of cases on various subjects and the backlog in multiple courts. It also highlighted that government officials frequently file cases concerning service-related issues <sup>[1]</sup>.

### Key judicial interventions

Key judicial interventions that have shaped the structure and functioning of the tribunals have been discussed below:

#### Judiciary on the meaning of tribunal

Though the tribunals have been granted constitutional status by inserting Article 323A and 323B, but the term has neither been defined in any enactment nor in the constitution itself. The Supreme Court has time and again made attempt to define the term tribunal.

In *Bharat Bank Ltd v Employees* <sup>[2]</sup>, the Supreme Court observed "Tribunals, while resembling courts in several aspects and performing quasi-judicial functions, are not fully equivalent to courts. They serve as adjudicating bodies that resolve disputes between parties, exercising judicial powers distinct from purely administrative tasks. However, they exhibit only some characteristics of a court, not all."

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In *Durga Shankar Mehta v Raghuraj Singh* <sup>[3]</sup>, the Supreme Court defined “tribunal” in the following words: “The term ‘Tribunal’ in Article 136 does not equate to ‘Court’ but encompasses all adjudicatory bodies established by the State and endowed with judicial functions, as opposed to administrative or executive duties. The Supreme Court has also tried to differentiate between the Court and Tribunal.” In *Harinagar Sugar Mills Ltd v. Shyam Sundar Jhunjhunwala* <sup>[4]</sup>, Justice Hidayatulla has tried to differentiate between the courts and tribunals. It was examined by Justice “that all courts can be called tribunals but all tribunals cannot be called the court. However, the courts and the tribunals both exercise the judicial power of the State, but still, tribunals can’t be called courts due to which the Legislature has expressly mentioned the word ‘tribunals’ under Art 136 and 227 of the Constitution of India”.

In the case of *Jaswant Sugar Mills Ltd., Meerut vs. Lakshmidhara* <sup>[5]</sup>, the Court established a test to distinguish whether a body is merely an administrative organ of the Executive or qualifies as a Tribunal. The test involved examining whether the body was endowed with the powers of a Civil Court, such as taking evidence and summoning witnesses. It was concluded that any adjudicatory body possessing such powers should be classified as a Tribunal. The Supreme Court of India in *Madras Bar Association* <sup>[6]</sup> case has provided the most appropriate definition of a tribunal by distinguished it from the court. The Court held that “there is no doubt that both the courts and the tribunals exercise judicial power and perform similar functions but they have differences too. Firstly, tribunals are established under a statute to decide cases of specified nature that occurred under the said statutes whereas; courts are part of the legal system which decides a diversity of cases like civil and criminal cases. Secondly, tribunals give decisions to disputed parties in the form of an award whereas; the law courts give it in form of the judgment, decree, conviction, or acquittal. Thirdly, tribunals are generally headed by both judicial members and technical members related to the tribunal concerned. In addition, it can also be headed by a judge as a sole member and some exceptional tribunals may have only expert members whereas; courts are headed by a judge, panel of judges, or magistrate. Lastly, tribunals generally regulate their procedure without being restricted by strict rules of Evidence and CPC procedure. On the other hand, judicial courts are governed by the CPC Procedure, 1908, and the Evidence Act, 1872 <sup>[7]</sup>”.

### Judiciary on the power of judicial review

In *S.P. Sampath Kumar v Union of India & Ors* <sup>[8]</sup> Using its authority under Article 323A, Parliament passed the Administrative Tribunal Act, 1985. Section 28 of this Act removed the High Court's power of judicial review in service-related matters under Articles 226 and 227 of the Constitution, while preserving the Supreme Court's jurisdiction under Articles 32 and 136. Thus, the issue that arose was whether Section 28 is constitutional and valid.

The Court reiterating its decision in the case of *Minerva Mills Ltd & Others v UOI* <sup>[9]</sup> observed that Judicial Review is a fundamental and indispensable feature of the Constitution, and no law enacted by Parliament can abolish or undermine it. This power is essential for safeguarding democracy and the rule of law. The Court clarified that establishing an alternative institutional mechanism or

authority that removes the High Court's judicial review powers in a specific area does not violate the basic structure doctrine. Furthermore, the exclusion of the High Court's jurisdiction does not entirely eliminate judicial review, as the Supreme Court's authority in this regard remains intact, allowing it to address cases of grave injustice. Tribunals are intended to serve as substitutes, not supplements, to the High Court. The Court stressed that tribunals must function as genuine alternatives to the High Court, ensuring they are effective, efficient, and capable of upholding constitutional principles.

In *R.K. Jain v. Union of India* <sup>[10]</sup> The Supreme Court observed that tribunals cannot fully serve as an effective replacement for High Courts as envisioned under Articles 226 and 227 of the Constitution. This case underscores the Supreme Court's concerns about the efficiency and functioning of Administrative Tribunals.

The Court stated:

"Tribunals set up under the provisions of Articles 323A and 323B of the Constitution or legislative acts are statutory bodies and cannot claim the status, parity, or role equivalent to High Court Judges. However, personnel appointed to these positions by the State are expected to exercise judicial or quasi-judicial powers. Therefore, they must take a judicial approach and have expertise in areas such as constitutional, administrative, and tax law. The significance of legal expertise is paramount, and disregarding or undervaluing it would compromise the effectiveness and efficiency of judicial decisions. Hence, it is essential for those adjudicating such matters to have legal knowledge, judicial experience, and training, as they often face complex legal questions that challenge even seasoned High Court and Supreme Court judges."

In *L. Chandra Kumar v UOI* <sup>[11]</sup>, The Court, in declaring Article 323A(2) Clause 2(d) and Clause 3(d) of Article 323B of the Constitution of India unconstitutional to the extent that they exclude the jurisdiction of the High Court and Supreme Court under Articles 226/227 and 32, stated that these jurisdictions cannot be removed as they are fundamental to the Constitution's basic structure. However, it acknowledged that other courts and tribunals may play a supplementary role in exercising the powers granted by Articles 226/227 and 32.

The Tribunals established under Articles 323A and 323B of the Constitution can determine whether legislative provisions and regulations are constitutional. However, a Division Bench of the High Court, within whose jurisdiction the relevant Tribunal falls, will have competency to review all the decisions of the Tribunal. In the areas of law for which they have been established, the Tribunals will nonetheless function similarly to courts of first instance. Therefore, even in circumstances where the validity of statutory legislation (except from cases where the legislation creating the specific Tribunal is contested) is challenged, it will not be possible to approach the High Courts directly by ignoring the relevant Tribunal's authority.

### Regarding the Appointment of Tribunal Members

In *S.P. Sampath Kumar v UOI* <sup>[12]</sup> the Court observed that the Administrative Tribunal Act, 1985 confers wide and unfettered powers on the Government in appointing Tribunal Members. Regarding the appointment of judicial members, the Act mandates that the appointment of Judicial Members will be done by the Government in consultation

with the Chief Justice. However, in respect of appointment of other Tribunal Members, there is no such mandate on the part of the Government to consult the Chief Justice. Thus, the Court observed that this would result in the compromise of judicial independence as in the service matters most of the times, the government would be the litigating party and the tribunal members who are appointed by the government would have a sense of obligation for being appointed by the government and that would have a prejudicial effect on their decision-making power. The Court recommended that the appointment of the Chairman, Vice-Chairman, and administrative members should be made by the relevant government only after consulting the Chief Justice of India. This consultation should be substantial and effective, with the CJI's recommendations typically being accepted unless there are strong reasons to the contrary. Another suggestion that was given by the Court for the appointment of Chairman, Vice-Chairman and members was the setting up of a High Powered Selection Committee headed by CJI or a sitting judge of Supreme Court or concerned High Court nominated by the CJI. These modes of appointment would ensure appointment of competent and deserving candidates who would be manning the tribunals and this would inspire public confidence in administration of justice. Further, the Court observed regarding the qualification of Chairman and emphasised that Chairman should be retiring or retired Chief Justice of a High Court or when such person is not available Senior Judge of proved ability. That office should be equated with the office of Chief Justice of a High Court. The post of Chairman should be held by the person possessing legal experience and training, though members of Service undoubtedly possess great wisdom, objectiveness but judicial experience is required for the post of Chairman in order to make Tribunals conducive for appropriate functioning.

The Court also emphasized that the tenure of Chairman, Vice-Chairman and members of tribunals as five years or until he attains the age of 65 in case of Chairman or Vice-Chairman and 62 in case of a member, whichever is earlier as provided under section 8 of the Act also needs to be reconsidered. As the short tenure might act as disincentive for well qualified and competent people to join the Tribunal. Further, such a short period is also detrimental in the sense that by the time the members would start understanding the service jurisprudence, and have a good grip on the job, the tenure might come to an end. Thus, it is not favorable either for the person joining the tribunal or for making the system effective and efficient in the administration of justice.

### **Regarding Composition of Tribunals**

In *S.P. Sampath Kumar v UOI* <sup>[13]</sup>, while examining the issue of whether Administrative Tribunals are as effective and efficacious as the High Court in exercising the power of Judicial Review under Article 226 and 227 of the Constitution highlighted the significance of composition of tribunals. The Court observed that it is pertinent that the people who adjudicate the disputes must have legal training and knowledge as when the jurisdiction of High Court in respect of service matters is transferred to the Administrative Tribunals established under the Administrative Tribunal Act, 1985 that would involve interpretation of constitutional provisions. However, the presence of administrative members is also essential in

order to bring efficiency and efficacy and of the tribunals as that would provide practical experience in deciding the service matters disputes.

In the case of *L Chandra Kumar* <sup>[14]</sup>, the Supreme Court observed that tribunals should consist of both judicial and administrative members. To say that Administrative Tribunals should only consist of judicial members would defeat the very purpose of establishing tribunals i.e. to provide effective and efficient justice. Therefore, tribunals should be made up of a balanced combination of judicial members and individuals with specialized knowledge and experience. Since the Selection Committee is chaired by a Supreme Court Judge nominated by the Chief Justice of India, it is expected that the Committee will ensure that administrative members are selected from individuals with the necessary expertise to handle such cases.

In the case of *R.K. Jain v UOI* <sup>[15]</sup>, while emphasizing the need to have Judicial Members in the Tribunals established by virtue of Article 323A and Article 323B of the Constitution and various other statutes, the SC observed that people manning the tribunals are required to perform judicial or quasi-judicial functions, thus, it is pertinent that they must have required judicial knowledge and approach as many times adjudication of such disputes involves very complex and different questions of law which even baffle the minds of judges of the High Court and Supreme Court.

In *Union of India v R. Gandhi, President Madras Bar Association* <sup>[16]</sup>, the Court observed that when the legislature transfers judicial functions from courts to tribunals, it must ensure that the independence of the judiciary, along with the principles of the rule of law and the separation of powers, is upheld. If tribunals are set up to handle specific technical areas, they should include technical members alongside judicial members. However, if the goal is to relieve tribunals from the strictures of the Evidence Act and other procedural laws to ensure quicker justice, then the presence of non-judicial technical members is unnecessary. In such cases, only judicial members should serve as presiding officers or members. Therefore, when jurisdiction is transferred from courts to tribunals with the sole aim of providing speedy justice, the inclusion of non-judicial members would undermine the independence of the judiciary and the rule of law, making it unconstitutional.

The Court further stated that while the legislature has the authority to transfer judicial functions from the courts to tribunals, it is also empowered to set the eligibility criteria and qualifications for appointing members to the tribunals. However, these actions are subject to judicial review, and courts have the authority to assess the validity and appropriateness of the qualifications established by the legislature. If the prescribed qualifications and criteria do not ensure that the members can effectively and impartially perform judicial and quasi-judicial functions, they will not withstand scrutiny by higher courts.

In *Madras Bar Association v Union of India & Anr* <sup>[17]</sup>, on the issue of the composition of the Search cum Selection Committee as constituted under section 412(2) of the Companies Act, 2013 which consisted of the SC observed that the effect of the composition is that out of the five members, three are from administrative branch/bureaucracy as against two from judiciary which will have predominantly members from the executive vis-à-vis judiciary. The Court reiterated its earlier observation made in 2010 judgment that it is the Chairperson i.e. Chief Justice



of India, or his nominee who is to be given final say in the matter of selection with right to have a casting vote and the judgment is a precedent and is binding on the respondent.

### Regarding Qualification of Technical Members

The Supreme Court in the case of *Union of India v R. Gandhi, President Madras Bar Association* <sup>[18]</sup> reiterated that the Legislature is competent to transfer certain areas of litigation from Courts to the Tribunals and recognized that the legislature can provide for technical members in addition to judicial members in such Tribunals. This leads to another significant question as to who can be the members of the Tribunals or are there any other limitations on the legislature's power to prescribe qualifications for such technical members? The Court observed:

“It is assumed that the legislature will not enact laws that contradict the rule of law. Therefore, when disputes are to be resolved by a judicial body other than the courts, the standards for such a body should closely align with those expected of the mainstream judiciary. The rule of law is meaningful only if there is an independent and impartial judiciary to administer justice. An independent judiciary can only exist when individuals with competence, ability, independence, and impeccable character serve in judicial institutions. When the legislature proposes replacing a High Court with a tribunal to exercise the same jurisdiction, it follows that the standards expected of the judicial members of the tribunal, and the criteria for their appointment, should closely match those for High Court judges. These standards include, aside from a basic law degree, substantial experience in legal practice, an independent outlook, integrity, character, and a good reputation. Additionally, only individuals of standing with specialized expertise in the relevant field should be eligible for appointment as technical members. As such, only those with a judicial background—either as former or current High Court judges or lawyers with the requisite experience—should be considered for judicial member”.

The Court further stated that while extensive administrative experience may make a civil servant an effective administrator, it does not necessarily make them a skilled, impartial adjudicator with a judicial temperament. Such an adjudicator must be able to (i) clearly explain the reasoning behind their decisions to the parties involved; (ii) ensure that the decision is fair, correct, and free from arbitrariness; and (iii) ensure that justice is not only done but also seen to be done. For the appointment of technical members, the individual should at least hold the rank of a Secretary-level officer with proven competence and integrity. Lowering the qualifications for appointments could result in a loss of public confidence in the tribunals.

In *Madras Bar Association v Union of India & Anr* <sup>[19]</sup> the Court highlighted the concern of dilution of qualification for being appointed as technical member of tribunal and reiterated the need to ensure that quality and competency of the persons manning tribunals as they are performing functions which was earlier performed by High Court. The Court held that the reason for limiting the qualification for appointment of technical members to Secretary and Additional Secretary was due to the gradual decline in the independence of the judiciary, which was seen as a cause for concern.

### Reformative Role of Judiciary

In the *L Chandra Kumar* case, the Supreme Court highlighted that tribunals have been operating inadequately due to the lack of a dedicated authority to supervise and manage their administrative needs. The Court suggested that a single central ministry, most likely the Ministry of Law, should appoint an independent agency to oversee the administration of all tribunals.

The Supreme Court of India in *R.K. Jain case* has directed the Law Commission to undertake a detailed and comprehensive review of the functioning of tribunals nationwide. This initiative aims to identify deficiencies in the existing system and propose reforms to enhance their efficiency and effectiveness. By issuing this directive, the Supreme Court seeks to address concerns surrounding tribunal operations and ensure they deliver justice more promptly and effectively.

In *Madras Bar Association case (2010)* while emphasizing the need to establish an independent body to look into the working of tribunals observed:

“In India, unfortunately, tribunals have not achieved full independence. The Secretary of the relevant "sponsoring department" is part of the Selection Committee for appointments. Once established, tribunals often rely heavily on their sponsoring department for funding, infrastructure, and even office space. The laws creating tribunals typically allow civil servants from the sponsoring departments to become members, while still retaining their affiliation with their parent cadre. Unless broad reforms, similar to those implemented in the United Kingdom and those recommended by L. Chandra Kumar, are introduced, tribunals in India will not be seen as truly independent.”

In the *Madras Bar Association v. Union of India & Anr. Case* <sup>[20]</sup>, the Court once again urged the Union of India to establish a single, independent body to oversee the functioning of tribunals and safeguard the independence of their members. The Court believed that creating such an authority would address the issues in the current system and ensure the continued independence of all tribunal members.

In the *Madras Bar Association case (2010)*, the Court criticized the practice of seeking administrative assistance from departments other than the Ministry of Law and Justice. It was observed that the Tribunal's members' reliance on the parent Ministry or departments for their administrative and facility requirements went against the principle of independence of the judiciary. The Court suggested that an independent supervision body should be set up to look into tribunal members' appointment and the tribunals' functioning.

In *Roger Mathew v. South Indian Bank Ltd. and others* <sup>[21]</sup>, one of the issues before the Court was whether there should be a single nodal agency responsible for the administration of all tribunals. The Court noted that it is essential for each tribunal to have sufficient financial independence to manage its daily operations. While it may not matter which Ministry or Department handles the nodal agency functions for a tribunal, it is crucial that the tribunal does not have to depend on this agency for its day-to-day needs. Financial independence would also enhance public confidence in the justice administered by tribunals.

*Madras Bar Association v. Union of India & Anr (2020)* The Court directed the central government to set up a National Tribunals Commission as an independent body to

oversee the functions of tribunals. Additionally, the Court instructed the government to create a separate branch within the Finance Ministry to address the needs of the tribunals until an independent body is established by the Government of India.

### Judicial Response to Recent Reforms

The Finance Act, 2017 played an instrumental role in restructuring the tribunal system of the country. Prior to the passing of this Act, each tribunal was regulated by its Parent Act which provided for the composition of the members of the tribunal, mode of appointment, tenure of tribunal members, functions, and powers of the tribunals. The Finance Act, 2017 empowered the Central Government to make rules regarding these matters, the Act also merged various unrelated tribunals with overlapping functions. In pursuance of the said power the Central Government formulated Tribunal, Appellate Tribunal, and Other Authorities (Qualifications, Experience and Other Conditions of Service of Members) Rules, 2017. The said Rules were challenged in *Rojer Mathew case*. The Court while declaring the Rules as unconstitutional observed that the Rules are against the provisions of the Parent Act. The Court, however, held that Section 184 of the Finance Act, 2017 does not suffer from the excessive delegation of legislative functions. The Court further directed the Central Government to re-formulate the Rules in accordance with the directions given by this Court in various judgments.

In pursuance of the directions given by the Court in the case of *Rojer Mathew* to re-formulate the Rules, the Central Government framed the Tribunal, Appellate Tribunal, and other Authorities Rules 2020 which were challenged in the *Madras Bar Association case*(2020), the Court while holding the Rules unconstitutional gave the following directions:

- The Court directed an amendment to Rule 4(2) of the 2020 Rules, stating that the Selection Committee should recommend the name of a single candidate for each post, rather than multiple candidates.
- The Court directed to provide for five-year tenure and provision for reappointment. The Court directed to make amendment in Rule 9(2) of the 2020 Rules, specifying that the Vice-Chairman, Vice President, and other members shall hold their positions until the age of sixty-seven.

In the recent decision in *Madras Bar Association v UOI* <sup>[22]</sup>, the Supreme Court invalidated some of the Tribunal Reform Ordinance's provisions. In particular, the clauses pertaining to members' four-year terms and the minimum age of 50-year appointments were considered to be against the independence of the judiciary. The Court determined that these clauses would jeopardise the tribunals' independence and impartiality, which are crucial for guaranteeing a just and equitable results. This decision has resulted in the provisions in question becoming void and are no longer in force.

### Tribunals and the Principles of Natural Justice

As the tribunals are free to regulate their own procedure and thus there is lack of uniform procedure between different tribunals. However, all the tribunals are bound to follow the Principles of Natural Justice. The concept of Principles of Natural Justice is very crucial in the decision-making

process of the quasi-judicial bodies. These principles are neither fixed nor codified in any particular enactment. In several ways, the Principles of natural justice become a crucial procedural safeguard against the administration's misuse, arbitrary, incorrect, or excessive use of its powers. The Principle of Natural Justice has two major limbs. One is Audi Alterum Partem which means no man shall be condemned unheard. In other words, it means the adjudicating officer should give opportunity of hearing to both the parties before deciding a case. The other principle is Rule against bias or no one can be judge in his own cause. In *Union of India v. T.R. Verma* <sup>[23]</sup> The Supreme Court stated that the following principles are essential to natural justice:

- a. Each party must be allowed to present all evidence they intend to rely on.
- b. Evidence must be presented in the presence of both parties.
- c. Parties must be given the opportunity to cross-examine.
- d. No material should be used without giving the party a chance to explain the evidence.

In *State of U.P. v. Md. Nooh* <sup>[24]</sup>, where the prosecutor also served as the adjudicating officer, and in *Dhakeshwari Mills* <sup>[25]</sup>, where the tribunal failed to disclose certain evidence relied upon to the assessee, the Court set aside the decisions in both cases.

### Direct Appeal to the Supreme Court

In *L. Chandra Kumar's case*, the Court ruled that decisions of all tribunals, whether established under Article 323A or 323B of the Constitution, would be subject to the writ jurisdiction of the High Court under Articles 226/227. This would take place before a Division Bench of the High Court within whose jurisdiction the specific tribunal falls. The Court found the existing system of direct appeals to the Supreme Court to be ineffective, as it was costly, inaccessible, and increased the Supreme Court's workload by making it act as the First Appellate Court. Therefore, an aggrieved party can approach the High Court under Articles 226/227, and if dissatisfied with the Division Bench's decision, they can then appeal to the Supreme Court under Article 136.

### Jurisdictional Powers of the Tribunals

In *L. Chandra Kumar's case*, the Supreme Court clarified the jurisdictional power of the Tribunals and observed that the Tribunals have the authority to hear cases in which the validity of statutory provisions is contested. They cannot, however, take the place of the Supreme Court and the High Courts in carrying out this task, as they have been expressly given this responsibility within our constitutional framework. Their role in this regard is just supplemental, and each of the Tribunals' rulings will be examined by a Division Bench of the corresponding High Courts.

As a result, tribunals will have the power to assess the validity of subordinate legislation. However, there is one notable exception: following the established principle that a tribunal created by an Act cannot declare that Act unconstitutional, tribunals will not address any issues regarding the scope of their parent statutes. In such cases, the relevant High Court may be approached directly. A Division Bench of the respective High Courts will also review any other decisions made by these tribunals,

provided they are expressly authorized to make those decisions under their parent statutes.

### Conclusion

The judiciary has been instrumental in the evolution of tribunals in India, ensuring their establishment and functioning align with constitutional principles. Recognizing the growing burden on traditional courts and the need for specialized adjudication, the judiciary has consistently advocated for the creation of tribunals to address specific areas like taxation, administrative disputes, and service matters. Through landmark judgments, the judiciary has emphasized the importance of maintaining judicial independence and safeguarding the rights of litigants in tribunal proceedings. It has also actively reviewed the functioning of tribunals to ensure they adhere to the principles of natural justice and provide timely resolution of disputes. By striking a balance between judicial oversight and the autonomy of tribunals, the judiciary has significantly contributed to their evolution as an integral part of India's justice delivery system. By safeguarding independence, fairness, and accountability, the judiciary has bolstered the legitimacy of these specialized institutions. However, overcoming the challenges faced by tribunals necessitates joint efforts from the judiciary, legislature, and executive. Enhancing the tribunal system will not only alleviate the workload of traditional courts but also advance the rule of law and ensure greater access to justice in contemporary societies.

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