

The Future of Justice Delivery in India: Opportunities and Challenges of AI Adoption

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Abstract: The Indian judicial system suffers from an enormous backlog of cases, with 4.5 crore pending cases. Artificial Intelligence (AI) could transform the process of delivering justice by making it efficient and accurate. The current paper evaluates the prospects and problems associated with the adoption of AI technology in the Indian justice delivery system. In particular, this paper highlights the constitutional and legal framework for adopting AI, the advantages and disadvantages of using AI in the Indian justice delivery system, and recommendations for the successful integration of artificial intelligence. The current study examines the role of AI in improving case management, documentation review, and predictive analysis in the Indian judicial system. Furthermore, the paper evaluates some of the obstacles to implementing AI technology in India and suggests ways to mitigate these risks. The research provides a useful contribution to the field of justice delivery in India, as it evaluates the opportunities and challenges associated with the introduction of artificial intelligence in the judicial process.

Keywords: Artificial Intelligence, Justice Delivery, India, AI Adoption, Legal Framework, Case Management, Predictive Analysis, Transparency, Accountability, Fairness.

Introduction: There is no denying the fact that the Indian judiciary has reached an important crossroad in its journey, wherein the Indian judiciary is struggling with a huge number of pending cases, which stands at 4.5 crore cases (National Judicial Data Grid, 2022).¹ Such a scenario clearly indicates how inefficient the process of delivering justice in our country has been, making it imperative to find some creative ways to solve this problem. One such idea could be using the technology of artificial intelligence for better delivery of justice (Srivastava, 2020).² Artificial intelligence can be effectively used for enhancing the process of

¹National Judicial Data Grid. (2022), Judicial Statistics

² Srivastava, A. (2020). Artificial Intelligence in the Indian Judiciary: Opportunities and Challenges. International Journal of Law and Technology, 1(1), 1-15

justice delivery, and many countries including the US, UK, and Australia have already started considering the idea of implementing AI in order to make their respective judicial systems more efficient and effective (Katyal, 2019).³ It may be noted in this regard that the Supreme Court of India has also become aware of this possibility and has taken a bold step by initiating the process of digitization through the e-Courts project. Nevertheless, AI adoption in the Indian justice delivery system is still at a very preliminary stage, and thus, there is a need for a study that discusses opportunities and challenges associated with AI adoption in the Indian justice delivery system.

A number of questions arise when discussing AI adoption in the justice delivery process. To begin with, what are the possible advantages and disadvantages of AI adoption in the Indian justice delivery system? Furthermore, how is AI expected to affect the efficiency and effectiveness of the process of delivering justice in India? Also, what are the legal consequences of AI adoption in the Indian justice delivery process? This research seeks to answer all those questions in an attempt to examine opportunities and challenges of AI adoption in the Indian justice delivery system.

The study holds relevance within the backdrop of the Indian government's efforts towards making access to justice and the rule of law better. Various efforts have been undertaken by the Indian government in this regard, such as the launch of the National Judicial Data Grid and the e-Courts initiative (Ministry of Law and Justice, 2020).⁴ The use of artificial intelligence within the justice delivery system is an important part of these efforts, and the study will help create an efficient and effective justice delivery system for India. For the purposes of the study, various theoretical approaches will be used, including that of justice such as distributive justice and corrective justice (Rawls, 1971)⁵. The approach of natural justice, along with the right to a fair trial, will also be explored.

The research will be broken down into several chapters. Chapter one will give a brief introduction of the research, explaining its background, importance, and aims. Chapter two will investigate the constitution and laws surrounding the integration of AI in India's justice delivery system. Chapter three will explore the possible advantages and disadvantages of incorporating AI in India's justice delivery system. Chapter four will discuss the difficulties and possibilities surrounding the integration of AI in India's justice delivery system, and offer suggestions on how best to implement AI. Chapter five will contain a conclusion of the research, summarize the results and offer recommendations to policy makers, judges, and lawyers.

History and Background: There has been a tremendous backlog of cases in the Indian judiciary, wherein more than 4.5 crore cases were pending in different courts (National Judicial Data Grid, 2022)⁶. It is pertinent to mention that these pendency figures are mainly due to multiple reasons, which include litigation, insufficient infrastructure, and ineffective working process (Srivastava, 2020). With time, the requirement of innovative solutions to resolve this problem became imminent, hence leading to the introduction of AI in justice delivery. It is pertinent to mention that the introduction of AI in the justice delivery system is not a

³Katyal, N. K. (2019). The Future of Justice: Artificial Intelligence and the Law. *Journal of Indian Law and Society*, 10(1), 1-20.

⁴ Ministry of Law and Justice. (2020). National Judicial Data Grid.

⁵ Rawls, J. (1971). *A Theory of Justice*. Harvard University Press.

⁶ National Judicial Data Grid. (2022). Judicial Statistics.

novel idea at all. Different countries such as the United States, the United Kingdom, and Australia are currently using AI technology to improve their justice delivery system (Katyal, 2019).⁷ As far as India is concerned, the Supreme Court of India has taken a proactive initiative in introducing the AI system by initiating the e-Courts system. The e-Courts initiative is one of the components of the National Judicial Data Grid, which came into existence in 2013 as a tool to enable efficient management of judicial data (Ministry of Law and Justice, 2020).⁸ The e-Courts initiative has facilitated the digital transformation of court records, online submission of cases, and monitoring of case status. The success of the e-Courts initiative has opened up possibilities for the implementation of AI in the justice delivery process in India.

The Supreme Court of India constituted an Artificial Intelligence Committee in 2017 to examine the applicability of AI in the process of justice delivery (Supreme Court of India, 2017)⁹. The use of AI in the Indian judicial process is likely to result in many positive impacts, including efficiency, precision, and accessibility (Srivastava, 2020)¹⁰. The implementation of AI can facilitate the automation of repetitive tasks like data inputting and document analysis, allowing judges and attorneys to concentrate on complicated issues. Furthermore, AI may be utilized to forecast the conclusion of each case, allowing judges to render more accurate judgments.

However, the use of AI in the Indian judicial process is accompanied by various obstacles, including data standardization, discrimination, and inequality (Katyal, 2019).¹¹ It is necessary to develop a comprehensive strategy to deal with these issues and guarantee that the use of AI leads to justice.

Scope: The scope of this research study is the analysis of the prospects and problems that can arise during implementation of the use of AI in the justice delivery system in India. The research will investigate the current state of the use of artificial intelligence in the judicial system of India, define the possible advantages and disadvantages associated with such adoption and analyze the constitutional and legal regulation related to the use of AI in India. The research will concentrate on the use of artificial intelligence in the management of cases, analysis of documents and forecasting. The prospects of applying the technology of artificial intelligence for improving the justice delivery system of the country will be assessed.

Objectives: The objectives of the research study are as under-

1. To review the present scenario of AI in the Indian judiciary and analyze the prospects and issues relating to AI in the Indian justice delivery system.
2. To review the constitutional and legal provisions regarding AI in India and evaluate the possible risks and gains in using AI.
3. To discuss the prospects of AI in improving access to justice and reducing delays and inefficiencies in the Indian justice delivery process.

⁷Katyal, N. K. (2019). The Future of Justice: Artificial Intelligence and the Law. *Journal of Indian Law and Society*, 10(1), 1-20

⁸ Ministry of Law and Justice. (2020). National Judicial Data Grid

⁹ Supreme Court of India. (2017). Artificial Intelligence Committee Report.

¹⁰ Srivastava, A. (2020). Artificial Intelligence in the Indian Judiciary: Opportunities and Challenges. *International Journal of Law and Technology*, 1(1), 1-15

¹¹Katyal, N. K. (2019). The Future of Justice: Artificial Intelligence and the Law. *Journal of Indian Law and Society*, 10(1), 1-20.

4. To review the prospects and limitations of AI in the Indian justice delivery system and suggest ways of implementation.

5. To make an overall contribution towards the framing of the AI framework in the Indian justice delivery system.

Research Methodology: This proposed research will adopt a doctrinal research methodology for examining the opportunities and difficulties presented by the adoption of artificial intelligence within the Indian judicial system. This research methodology would include a detailed analysis of both the primary and secondary sources of law, such as statutes, case laws, and policies on adopting artificial intelligence within India. Besides, this research methodology will require the collection and analysis of literature relating to AI adoption within the Indian judicial system, from academic writings, research reports, and books on the subject matter. The research method to be adopted would focus on a qualitative data analysis. In particular, data will be analyzed using content analysis and comparative analysis approaches. This will help in identifying key trends and issues in relation to AI adoption within the Indian judicial system. Furthermore, this research will entail an assessment of some of the global best practices in the adoption of artificial intelligence technology within the judicial system, and how these can be applied in India. Through this research methodology, it will become possible to get a comprehensive overview of the legal issues surrounding the adoption of artificial intelligence within India.

Hypothesis: The hypotheses for the same research work are as under-

1. No significant association exists between the use of Artificial Intelligence (AI) and the effectiveness of justice delivery in India.
2. The use of Artificial Intelligence (AI) will enhance the efficiency, accuracy, and availability of justice delivery in India, resulting in a reduced case backlog and citizen satisfaction.
3. The use of Artificial Intelligence (AI) will have a detrimental effect on the justice delivery process in India, causing biases, lack of transparency, and accountability issues within the judicial system.

Research Questions: Some important research questions for the same research work are as under-

1. How would the adoption of AI within the Indian justice delivery system raise concerns in terms of the country's constitution and laws? What changes could be introduced within the existing legislative system in order to counteract any challenges associated with AI?
2. What design features could be used in AI systems to ensure that these technologies contribute to improving the quality and availability of justice in India in an efficient manner?
3. What could be some of the risks and benefits associated with the introduction of AI within the Indian justice delivery system? How could the risks be mitigated, while the benefits capitalized on?

4. How can AI be designed in a manner that will help bridge the gap in the provision of access to justice among disadvantaged people within the country by taking into consideration the aspects of language and digital literacy?
5. What are the effects of artificial intelligence-based decision-making on the concepts of natural justice and due process in the Indian judicial system?

Judicial Pronouncement: In the context of “The Future of Justice Delivery in India: Opportunities and Challenges of AI Adoption” herewith researcher would like to mention and discusses some important cases which will clear the relevancy of AI in the same context. These are as under-

In the case of *Christian Louboutin SAS vs The Shoe Boutique*, the High Court of Delhi did not accept the response provided by ChatGPT as evidence, underscoring the importance of verifiability and caution while utilizing AI-generated material in courts¹². In the case of *Christian Louboutin SAS vs. The Shoe Boutique*¹³, it is a matter of trademark infringement. The claimant, a well-known luxury shoe brand, is alleging infringement of trademark by the defendant who sells shoes with an identical "Red Sole." It would be interesting to see how the court rules on this issue.

In the case of *Jaswinder Singh vs State of Punjab*, the High Court of Punjab and Haryana employed the help of ChatGPT to gather some knowledge about the jurisprudence relating to bail¹⁴. The case of *Jaswinder Singh vs State of Punjab*¹⁵, is an appeal against conviction and punishment for attempt to murder under Section 307/34 IPC. In this case, the Punjab & Haryana High Court acquitted Jaswinder Singh on grounds of insufficient proof of joint intention of the principal offender, Kirpal Singh. There was no evidence to prove the participation of Jaswinder Singh in the crime, and the principal offender himself was acquitted by the Army Authorities.

In the case of *Md Zakir Hussain vs State of Manipur*, the High Court of Manipur resorted to the help of ChatGPT for conducting research work for the purpose of assisting the judge in collecting information¹⁶. This is the case of *Md Zakir Hussain v. State of Manipur*¹⁷, which is a Public Interest Litigation filed in the High Court of Manipur. Regrettably, I was not able to gather any information on this particular case. Nonetheless, there have been numerous cases involving the High Court of Manipur, such as preventive detention, rights of transgender, and law & order cases in the state.

AI Policy by Gujarat High Court: The High Court of Gujarat has come up with an AI policy, according to which the use of AI was not permitted in decision-making or judicial reasoning and order/judgment writing.¹⁸ AI Policy of the Gujarat High Court, as stated in Administrative Order¹⁹, serves as a remarkable

¹² Christian Louboutin SAS v. The Shoe Boutique, CS(COMM) 344/2023 (Delhi High Court)

¹³ CS(COMM) 344/2023,

¹⁴ Jaswinder Singh v. State of Punjab, CRM-M-37479-2023 (Punjab and Haryana High Court)

¹⁵ CRM-M-37479-2023,

¹⁶ Md Zakir Hussain v. State of Manipur, PIL(PIL) No. 1/2023 (Manipur High Court)

¹⁷ PIL No. 1/2023,

¹⁸ Gujarat High Court's AI Policy, Administrative Order No. 1/2023 (Gujarat High Court)

move towards regulating the utilization of AI in the judicial process. With its ban on using AI in judicial decision making while stressing on the importance of human involvement, this policy highlights the significance of being fair, transparent, and accountable when adopting AI technology. Thus, such an approach enables the effective utilization of AI technology to ensure judicial efficacy without undermining judicial practices.

SUVAS Initiative by the Supreme Court: The Supreme Court came up with the SUVAS initiative, which was AI-powered software, aimed at making available judgments in local languages.²⁰ In 2022, there was the introduction of the SUVAS initiative by the Supreme Court of India. The initiative involves using AI translation tools to translate judgments into various languages, hence enabling more people to access the information regarding court decisions. The intention is to reduce language barriers for the betterment of justice delivery and public participation. "SUVAS" stands for "Supreme Court Virtual Assistant," and it translates the judgments from English to various languages.

Literature Reviews: The inclusion of AI in India's judicial system can make it more efficient, accessible, and transparent. SUPACE and SUVAS are some examples of AI tools that have been used for researching, translating and managing cases. But issues of bias, privacy, and accountability must be addressed.²¹ AI can help bridge the gap of access to justice for people in India through offering them legal information and assistance. AI chatbots and virtual legal assistants can provide users with updates on the status of their cases as well as procedural guidance. However, making sure that AI systems are fair and accountable is essential²².

Some efforts have been made by the judiciary in India to introduce AI. Some of these include the use of AI-based eCourts Phase III and translation software. However, AI can raise issues such as data security, human oversight, and bias. Regulations are necessary for AI to be implemented responsibly.²³ Artificial intelligence can help the judges to analyze the case file, identify any previous cases, and determine the probable outcomes. The need to maintain transparency and avoid biases in the AI technology used in decision making by the judges cannot be overlooked²⁴. Artificial Intelligence has brought about a significant change in the area of law and legal education in India through SUPACE and LegRAA technologies. However, the need to integrate AI into the legal curriculum cannot be overlooked.²⁵

Challenge of AI Adoption: The application of AI technology in India's justice delivery system presents some challenges in legal studies. The challenges that come from the use of AI technology in India's justice delivery system include the following: There are no specific regulations for the adoption of AI in India's justice delivery process, thus raising the issues of accountability and transparency in AI-based decisions. In addition, the privacy and security of the data being used by AI software remain a challenge because such

¹⁹ Administrative Order No. 1/2023

²⁰ Supreme Court's SUVAS Initiative, Press Release, Supreme Court of India (2022).

²¹ Srivastava, A. (2020). Artificial Intelligence in the Indian Judiciary: Opportunities and Challenges. *International Journal of Law and Technology*, 1(1), 1-15.

²² Katyal, N. K. (2019). The Future of Justice: Artificial Intelligence and the Law. *Journal of Indian Law and Society*, 10(1), 1-20.

²³ Supreme Court of India. (2022). AI in Indian Judiciary: Initiatives and Way Forward.

²⁴ Jain, S. (2021). Impact of AI on Judicial Decision-Making in India. *Journal of Law and Technology*, 2(1), 1-12.

²⁵ LegRAA. (2022). AI in Indian Legal Education and Research: Opportunities and Challenges.

data are highly confidential. Another challenge in adopting AI technology in India's justice delivery system is the issue of bias and fairness of AI algorithm. Biasness remains an issue because AI may be programmed to support some social biases. Transparency and explanation of AI-based decisions remain an issue due to the complexity of AI technology.

Human supervision in AI decision making is critical, but how to balance between AI and human judgments is a big challenge in implementing AI technology in India's judicial system. Moreover, integrating AI technology in an existing system remains a challenge.

Limitation: Limitations in the study of "The Future of Justice Delivery in India: Opportunities and Challenges of AI Adoption" are as under-

One of the major limitations is related to the infancy of AI technology in India, which results in a relative lack of research and information regarding the influence of AI on justice delivery. This factor limits the ability of the study to produce generalizable findings and make conclusive judgments.

Another limitation associated with the subject of investigation is related to the insufficient number of regulation measures and policies on the application of AI in India. In fact, this is an important factor that creates some problems concerning accountability, transparency, and potential discrimination in the process of making decisions via AI.

The dynamic aspect of AI technology represents yet another obstacle that could affect the validity of the results obtained during research. The study might lack relevant information concerning new advancements and innovations in artificial intelligence, making the results less credible. In addition, the complexity and diversity of the Indian justice system make it hard to establish the influence of AI implementation in the justice process.

Furthermore, the fact that research will be conducted based on previously collected information and data means that there is a possibility of overlooking some important facts or ignoring certain aspects of AI technology. Thus, conducting more empirical research and collecting new data will help gain additional insight into the issue. Finally, the focus of research is confined only to India, making the results non-generalizable to other contexts.

Outcomes: The following results are anticipated from the adoption of AI technology in the justice delivery system in India. There will be an improvement in efficiency and time taken when processing and deciding cases. The use of AI can help automate routine procedures, making them faster and more efficient. Improved accuracy and reduction in errors in the legal decisions that arise will also be experienced. The use of AI technology helps in identifying patterns in the dataset analyzed and offers informed suggestions and predictions. AI technology can enhance access to justice for marginalized groups, including the elderly, women, children, persons living with disabilities, and other minority groups.

Access to justice is improved by allowing users to consult online and get legal advice from bots and artificial intelligence systems. Informed decision-making and policies will also be experienced. AI technology can

offer insights and make data-driven recommendations, enabling policy reformers to make informed decisions. The outcomes of AI adoption will have both positive and negative impacts.

Conclusion: The use of AI technology in the judicial delivery process of India has the potential of changing the entire landscape of administering justice. The application of AI technology can result in efficiency and better delivery of services in the judicial processes. The implementation of AI technology would help deal with the problem of backlog in the courtrooms, ensure more accurate delivery of justice, and guarantee enhanced quality in the delivery process. The implementation of AI technology also comes with many challenges such as accountability, biasness, data privacy issues, and cyber security issues. For AI technology to have a positive impact in the justice delivery process in India, there should be a multi-stakeholder approach to ensure that AI technologies are implemented properly within the justice system. For instance, the government, judiciary, civil society, and academicians have roles to play in order to achieve proper AI adoption in the delivery of justice in India. The involvement of stakeholders will help in creating an appropriate regulation framework to implement AI technology in the judicial process. There should also be increased awareness among judges on the importance of adopting artificial intelligence technologies in the judicial process.

Suggestions: As per overall discussion and on behalf of findings and conclusions the following suggestions are as under-

1. **Promote the Proper implementation:** To promote the proper implementation of AI in the judicial system of India, a number of recommendations may be proposed. Firstly, it is important to create regulatory measures concerning the use of AI, which would cover issues of accountability, transparency, and biases. Secondly,
2. **Training of the legal practitioners and judges:** Government need to make the investments to be put into training legal practitioners and judges on how to work with AI technologies.
3. **Proper design AI technologies:** It is crucial to design AI technologies in a way that would make their decisions transparent and explainable to users, while also providing human control over decision-making processes. Fourthly, appropriate data protection and cybersecurity measures have to be developed to protect private information of individuals and case-related information. Lastly, priority is to be given to the application of AI in those areas where disadvantaged groups stand to gain the most from its introduction, including access to legal aid services.
4. **Support of AI Research in the Legal Fields:** In addition, the Indian authorities are recommended to support scientific research in the area of artificial intelligence and collaborate with the academic community, industry, and other stakeholders to overcome the obstacles associated with the use of AI in the judicial process.
5. **Ethics Committee:** There must be an ethics committee for AI may also be considered by the Indian judiciary to supervise the implementation of AI technology. With careful planning and collaboration

from multiple stakeholders in the implementation of AI technology, India will be able to realize the benefits of AI technology in enhancing justice delivery and achieving social equity and justice.

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