
JUDICIAL DELAY IN PAKISTAN: STRUCTURAL INEFFICIENCIES, POLITICAL INTERFERENCE, AND THE IMPERATIVE FOR SYSTEMIC REFORM

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Abstract

Reasons that have caused delayed justice in the Pakistani legal system are overcrowded courts, inefficiency in the process, as well as political interference with the courts that drains the courts of their independence. The protracted nature of the process of case resolution subjects litigants to immense suffering, deteriorates trust within the population, and undermines the rule of law. Political wrangles in the legal system also cause delays and affect the stability and justice of the legal system. These concerns indicate that the solution to the problem of the case backlog, lack of resources, and biases in the Pakistani society would require a comprehensive judicial reform process so as to bring back justice and efficiency in the affairs of the Pakistani courts. Lack of such reforms will also perpetuate delays in accessing justice and protecting rights, to the detriment of individuals and society. This research provides an overview of fundamental reasons and effects of delayed justice in the Pakistani legal system, and the importance of bringing reforms to the judicial system to make it function.

Keywords: challenges, historical context, laws, opportunities, theoretical context

Introduction

Delayed justice nowadays is considered one of the most urgent problems of the legal system of the country, which undermines the constitutional right to a fair trial (Majid, 2025). The congestion of cases and judicial inadequacies contribute to the hindrance of the judicial process, which places litigants under stress and financial pressure (Baig, 2025). Delays are also compounded by procedural rigidity and inefficiencies in administration, and as such, they are not encouraged by citizens to use formal judicial systems (Lal et al., 2023). It has been shown that vulnerable populations are the most affected because they do not have the resources to continue a long litigation process (Gorda et al., 2025). In addition, a judicial system that cannot resolve cases promptly reduces the trust a person has in the court and undermines the perceived authority of the judicial system (Islam et al., 2024; Rajput, 2024).

It is not only the personal grievances but also the social and economic stability of Pakistan as a result of the lack of justice. Long civil litigations interfere with business operations in civil litigation and complicate the execution of contracts, discouraging investment (Abro & Sahito, 2024). The concept of under-trial prisoners being held in custody, despite the lack of conviction, is evident in criminal cases and raises several questions regarding due process and human rights. It is observed that the major causes of such delays are frequent

adjournments, ineffective case management, and outdated court practices (Kureshi & Waseem, 2024). These issues should be fixed to increase the capacity of the judiciary, efficiency of the procedures, and the popularity of the legal system again among the people (Gondal & Hatta, 2023).

Research Justification

Delayed justice in the Pakistani legal system carries with it significant implications for governance, social justice and even rule of law, which makes it essential to conduct research around this subject. Despite a number of reforms and policies, the existence of a 'backlog' remains a pothole both in the civil and criminal arena. Knowledge of the causes and effects of these delays can help pinpoint the structural vulnerabilities and bottlenecks in the processes that cause poor operations of courts. Also, delayed justice has significant socio-economic impacts. The lengthy legal action disrupts the regular operation of the company and complicates the process of claiming on contractual provisions, increases the cost of litigating and raises the issues associated with it. The prolonged holding of under-trial prisoners in cases involving crimes not only impact on the lives of individuals, but also abuses the trust of people in courts. The systematic analysis of such problems will aid this research in understanding what sorts of events occur in litigants' lives, and how judicial inefficiency does harm the broader society.

This study is needed for policymaking and reforming because it is necessary to inform the policy-oriented and reform works. Recommendations based on evidence can be used to enhance the judicial capacity, case management, and establish mechanisms to curb delays. Lastly the study has contributed towards a more just society, more legitimate legal institutions, and a court in Pakistan that is more responsive and accountable.

Literature Review

The foremost debate in recent academic literature on delayed justice in Pakistan has been about the delay in litigation which has three salient features — structural efficiency, procedural inflexibility (Majid, 2025). Empirical data indicate that increasing civil and criminal litigation has overwhelmed the courts, preventing them from providing prompt rulings and undermining access to justice by the common man (Gorda et al., 2025). Experts also note that the use of ineffective case management methods and the lack of digital tools, as well as weakness in administrative institutions, are key factors in delaying court cases and leading to entrenched pendency at various levels of the court system (Gondal & Hatta, 2023). Furthermore, the absence of effective institutional accountability and transparency solutions fails to prevent procedural delays (constantly postponed sessions and a rather ineffective schedule) without any serious reformation (Kureshi & Waseem, 2024).

In addition to institutional factors, the literature speaks of the severe socio-economic and psychological outcomes of delayed justice on litigants (Baig, 2025). Based on the quantitative data, long trials are costly, emotionally challenging, and unpredictable, especially to those with economically disadvantaged backgrounds and those who rely on legal fast-track solutions (Abro & Sahito, 2024). Slowness in the settlement of disputes also destroys the trust of citizens in courts and diminishes a sense of justice, thus deteriorating the tendency to resort to formal law enforcement (Lal et al., 2023). These results indicate that the problem of delayed justice is not only an administrative issue but also a more global social problem of lack of confidence in the government and the rule of law (Kureshi & Waseem, 2024).

In recent times, researchers have begun to think in terms of solutions based on reform that can be applied to address these challenges in the Pakistani judiciary. If implemented properly, alternative dispute resolution mechanisms can be effective in removing burden from

court. Researchers show that alternative dispute resolution mechanisms can alleviate the pressure of the courts by providing a resolution for civil disputes that is more timely and cost-effective, albeit it requires institutional commitment and consciousness (Saeed, 2025). Similarly, modernization of technology, better tracking of cases, and enhancing capacity of the judiciary, are further suggested in various locations to ensure better efficiency and restore trust in the justice system (Gondal & Hatta, 2023). As one can see from the modern literature, the need of bringing about the systematic structural changes that can provide justice to Pakistan in time, fairly and accessibility is highlighted.

Historical Context of Delayed Justice in Pakistan

Delayed justice is not a new concept in Pakistan, but a legacy of the British era which was inherited when Pakistan became independent in 1947. The courts were designed to be effective not speedy in resolving litigations; the methods followed 100 years have proven to be slow in civil and criminal litigations (Majid, 2025). A study by Lal et al. (2023) reveals some factors contributing to the prolonged litigation such as unfair adjournment and shortage of judges. Furthermore state that inflexible procedures and lack of case handling have rendered timely justice for the citizens a distant dream and have even made justice permanent. Similarly, the structural issues listed above have taken deeply into the judicial culture of Pakistan and continued the slow legal culture of the past, as well, according to (Rajput, 2024).

In the late 1900s and early 2000s, there were more litigations brought before the courts, putting strain on them increasing the difficulties of delayed justice. Research by Abro and Sahito (2024) shows that the extended litigation had socio-economic impacts on litigants, such as financial issues and a lack of trust in the judiciary. Most of the people did not have a lot of knowledge of the law and that procedural changes failed to improve these problems further complicated matters (Lal et al., 2023). Basic administration and social problems are cited as two of their systemic issues as well. That these problems still exist is an evidence that delayed justice is not new (Baig, 2025).

In the mid-2020s, researchers had brought to the fore the following procedural and institutional deficits in history that must be underscored and reformed. In the mid-2020s, researchers presented the following unsavoury aspects of the procedure and institutions of history which needed to be emphasized and revised (Gorda et al., 2025). According to Saeed (2025), alternative dispute resolution mechanisms should be implemented, accompanied by advancements in technology, such as e-filing and tracking the case, which can ease the backlog and rebuild the community. The study by Kureshi and Waseem (2024) supports the sustainability of civil reforms to the judiciary system by focusing on accountability, transparency, and increasing the modernization of the judiciary to deal with the long-standing problem of delayed justice in Pakistan.

Theoretical Context of Delayed Justice

Delayed justice can be conceptualized in terms of several theoretical perspectives that focus on how and whether legal systems work. Institutionally, delays can be associated with structural inefficiencies, such as reduced judicial capacity, complexity, and bureaucratic impediments. Access to Justice Theory underlines that a just legal system invariably uses fair and well-timed adjudication, implying that a justice system that postpones adjudication results in a lack of fairness and reduced social confidence in the legal system.

The socio-legal approach is another framework that can be used, and which focuses on how the inefficiency in the judicial system affects society. Delayed justice, in addition to the impact on individual litigants, has wider socio-economic implications, including effects on the conduct of business, affecting the certainty of contracts, and giving an appearance of impunity

in the context of criminal cases. The procedural justice theory also goes on to state that not only the results of a particular justice but also the means through which justice is delivered can give rise to a sense of fairness. Litigants may have an impression of the ineffectiveness of the process or bias, and lose faith in the rule of law as a result of delay.

All these theories place a renewed focus on institutional capacity, efficiency and transparency in judicial administration. They provide a frame for understanding the issue of delayed justice and a frame for designing a set of reforms that can make the work of the law enforcement more efficient and effective; and for the implementation of fair and timely justice for all citizens.

Prevalent Laws in Pakistan

The Pakistan legal system ensures timely and fair administration of justice to its people. The various constitutional laws, legislations and court reforms are specifically designed to streamline the efficiency, ensure the protection of rights and ensure the protection of the rule of law. Even with these mechanisms, however, these are still postponed justice in the country. Many problems affect the smooth running of the courts, including procedural inefficiency, resource constraints and structural defects. Understanding the legislation and the changes which go with delayed justice is very important to identify blind spots in the implementation process and could investigate opportunities for leveraging to enhance the effectiveness of the judicial system.

1. **Provisions of the Constitution:** Article 10A of the Constitution of Pakistan gives everyone the right to a fair and quick trial. It implies everyone deserves to be treated fairly, to not have to wait too long. It is that the government has an important responsibility to ensure that its court systems function properly and that people enjoy safe and secure rights to the rule of law. Although this is in the Constitution, the courts have to deal with too many cases, processes are not very efficient and they do not have adequate resources. It can sometimes make it difficult for the judicial system to deal with the situation in a swift manner.
2. **Civil and Criminal Procedural Laws:** Civil procedure laws and criminal procedure laws provide rules governing the conduct of court cases and provide means through which a person can file, hear and rule on a case. In this context, the Code of Civil Procedure 1908 and the Criminal Procedure Code 1898 are examples of laws. These laws are used to establish a means of conflict resolution for institutions. However, with many adjournments, the cumbersome procedure involved and the provisions that the legislation contains, litigation is often prolonged and results in further delays in the administration of justice.
3. **Special Laws and special tribunals:** Over the years, the government has introduced special laws and special tribunals to speed-up specific types of cases, for example, family courts, labor courts, anti-terrorism courts. The purpose of these systems is to respond to these cases with a certain judicial procedure in an efficient way. Such initiatives have worked in specific contexts, but have had little effect on systemic delays overall due to resource constraints and administrative challenges.
4. **Judicial Reforms:** Judicial reforms that involve case management systems, computerizing court records, and measuring performance are needed to fix procedural problems. Easing burden on courts are alternative dispute resolution mechanisms like mediation and arbitration, other reforms. These legal frameworks need to be strengthened and adequately implemented in order to deliver justice on time and rebuild confidence in the citizens in the judicial system.

5. **Alternative Dispute Resolution (ADR) Mechanism:** The population in Pakistan is adopting ADR's as a way to resolve conflicts without involving Court proceedings. It involves such techniques as mediation, arbitration, and conciliation. Alternative Dispute Resolution mechanisms are good because people can quickly and easily resolve their conflicts. Alternative Dispute Resolution is quite of any benefit in instances associated with money or family subject matter. These types of cases can be lengthy and expensive, and can be a stressful experience on everyone. ADR provides individuals with alternative options to obtain justice. In Pakistan, Alternative Dispute Resolution is extremely beneficial in decreasing the burden on the courts.

Mediation is structured so people don't need to spend many months in court to resolve their disputes, but rather with concentrated focus to come up with compromises that are acceptable to both parties. Arbitration offers a specific and legally binding approach. Seeing how useful they are to quicken case flow through the system, the government and the courts have embraced ADR as a tool to help manage case backlogs and cases that are appropriate for ADR are frequently referred to the courts. Research shows that wider use of ADR can increase access to justice, reduce costs, and enhance people's confidence in the justice system.

Challenges for Delayed Justice in Pakistan

Pakistan's legal system is plagued with numerous issues, creating challenges for individuals seeking timely justice. The problem is there's too many cases, and not enough court personnel. It is due to the population's increase and more people have been turning to court. Consequently, courts are quite busy. The delay in making decisions is very long. The legal system in Pakistan faces yet another issue of lack of people and resources to conduct the cases with proper uniformity. It implies that in Pakistan, judges and court staff are not equipped with the skills and knowledge needed to perform their duties properly. The judiciary system is not very effective in settling pending cases in Pakistan.

Another major issue with the system in Pakistan is that its rules and procedures are too complicated. These rules and procedures have been in place for many years and there are a high number of steps and documentation. It frequently results in delay and re-delay of cases in Pakistan. The system of judiciary in Pakistan also has the issue of scheduling of cases. Getting evidence. It makes the proceedings of the civil and criminal court problematic in Pakistan to be decided in a timely fashion. The governance system present in Pakistan's courts is also not very efficient. They maintain records by means of a system and there are poor interface systems among the various offices. It is difficult for the system to take timely decisions in Pakistan. Improved legal system in Pakistan so that justice can be readily achieved.

Timely access to justice is also hindered due to socio- accessibility issues. From poorer sections, a lot of people go to court, but don't know what their rights are, or they don't have enough money to go to court for a long period of time. The situation often requires individuals to resort to means of resolving conflicts, including those that are unfair and unlawful. Good or bad justice is of fundamental importance. A person's rights must be known for him or her to gain a fair deal. Justice issues such as accessibility and socioeconomic issues are problems.

Opportunities for Curbing Delayed Justice in Pakistan

However, in Pakistan there are a number of opportunities for a fair and speedy justice. There is one obvious possibility in this respect – computerization and digital case management in courts. Courts can reduce delay and waste of time, make court processes clearer and provide a solution by using tech to store records, to file cases online and to schedule hearings. It also ensures that individuals who are part of cases are able to easily track them for reduced errors and confusion in case procedures. Platforms of use in courts can actually help pave the way for

better delivery of justice. One of the ways for system to be efficient is through Court digitization. It makes case information easily accessible and can accelerate case process. That way a fairly quick justice can be met.

There is an opportunity to enhance judicial efficiency through increased judiciary and court personnel. It can control the count of pendent case loads. We must provide training for judges and court employees to be able to more efficiently and effectively tackle the challenges of court and make sound decisions. It will help reduce the time it takes to solve both criminal cases. Dispute resolution can be done outside of court, such as mediation and arbitration. It's quicker and more cost effective. More people using these methods will enable courts to focus on cases and help people find answers sooner, particularly in business, family and civil cases.

Perhaps, however, teaching people about law and how courts operate is necessary also. Individuals ought to be aware of their rights. An informed populace can help minimize delays if they understand their rights and how to interact with the system. We can teach the people about themselves and court procedures and therefore give the judicial system a role to play. It will assist individuals to better navigate the system, and to better receive what they deserve from the system, and from the courts. Law and legal system should be made understandable. Thus people will be aware of what the law and the courts are doing. There are some changes that can be made on the system. We can have magistration hours and go first on the cases that are urgent. The performance of the courts can also be monitored. It will increase greater transparency and efficiency of the judicial system. This could work as an improvement in Pakistan's legal system. Together we can make it better by making these changes. It will contribute to the equitable justice in Pakistan's legal system. They will therefore feel confident in the system and the rule of law will take a battering. Government laws and the judiciary are crucial in playing a pivotal role towards a healthy Pakistan.

Discussion

Pakistani law is plagued with numerous issues, some of which have been persistent long enough. It is possible to take good actions to achieve speedy justice to people. One of the changes that might take place is for Pakistani courts to embrace technology and computerization of their proceedings. If there is a technology, which will keep a track of the recordings, in the court in Pakistan let the people file paper through paper filing and coordinate the hearings. This will lead to reduction of loads of bureaucracy, speeding up of processes, and transparency in the court. Additionally, individuals who are involved with the case can utilize the internet to find out the status of their case without causing mistake and confusion. Digitalization of courts in Pakistan can play a big role in this regard. Court technology helps to streamline the processes of Courts in Pakistan.

Another large opportunity we can contemplate is the increase in capacity. We can have judges, court officers and special tribunals to assist in handling the gigantic number of pending cases. It will make things more efficient, deal better with cases, and to make decisions faster. Additionally, we can train our officers and staff to perform their duties more effectively, thus reducing the time that it takes to resolve civil & criminal cases. Delays can be also minimized by the application of the procedures of Alternative Dispute Resolution. It refers to mediation, arbitration and conciliation (which are easier, less expensive and the same, and speedier ways to resolve disputes). Alternative Dispute Resolution will allow land courts to concentrate on the serious cases and individuals will have their cases resolved quicker, particularly in business, family, and civil cases.

We have to educate people on the law and the judicial system, too. It is a chance for cutting down on delays that occur when there is blundered or unclear information about what

should be done. By explaining their rights, the court process, and how they can go to court in a smart way, people will be able to deal with the courts more effectively. It will enable them to maneuver with a breeze and have their cases solved in a timely manner. Judicial capacity, plus capacity for ADR, can make such a difference, as can any such public awareness programs. The role of Judges is very significant with ADR also playing an important role.

Finally, judicial reforms and policy measures (e.g. alternative court times, prioritizing cases for urgent processing and systems of accountability and performance monitoring) may be used to enhance accountability and efficiency. Utilizing them, the legal system in Pakistan can make its way to prompt, fair and efficient adjudication providing credibility to the populace and augmenting the rule of law in Pakistan.

Conclusion

In Pakistan justice is really slow. It's a serious issue. It's happening with all types of cases both civil and criminal, and people have lost their trust in the system. There are certainly reasons: Justices lacking the competencies for their actions, the processes too intricate, and not proper administrative duties. People are also reluctant to attend court due to their distance and poverty. The longer cases take to get a trial, the longer the persons awaiting trial will remain confined, lost business will result and those involved in the case will be stressed and concerned. They also sense things are not right with the justice aspects. There are some things that can be improved. For instance, the record of the court can be placed in computers, and the justice system should be improved. Indivisibles can be motivated to resolve their disputes out of court.

We also need to educate on law on how to respond in order to understand what rights we have. Case handling must be efficient in the courts, judges must take responsibility on what they do. It will enhance the confidence in the system again. Justice is a grave issue that needs to be resolved in Pakistan so that people obey the rule of law and everyone treated equally. The justice structure inside Pakistan ought to be equitable to all the residents. The sluggish justice system in Pakistan is an issue that should be tackled to ensure that all the citizens are availed the rule of law equally.

Recommendations

The justice issue is a multi-faceted issue and multiple solutions are necessary to solve it in Pakistan. This solution has to shift the system, the way the system operates and how people think. To make changes in the structure of the procedures and in society, to make justice speedier in Pakistan. One of the main issue in Pakistan is justice, which should be resolved. First and foremost, judicial capacity needs to be increased. Involves recruitment of more judges, staffing of judges and specifying products, and a systems of specialized training to improve efficiency and management of cases. Courts can get resources in the form of the most up-to-date infrastructure and technological devices that would significantly reduce the delay in administration.

Moreover, there is to be a procedural change that will make the legal processes easier, and less likely to be adjourned and less likely to be delayed in holding of hearings. Digitized court records and online court filing could make court work easier and increase transparency in the court system. Also, alternative methods for dispute resolution, such as mediation and/or arbitration, could be encouraged for the speedy resolution of civil, commercial and family disputes and to relieve the strain on the courts.

Furthermore, awareness programmes are to be conducted to the population in law, so that people will be aware of their rights, court procedure and ways of effectively getting justice from the court. Finally, monitoring and review of judicial performance and accountability measures can achieve uninterrupted monitoring and instilling trust within the population. These

measures would be extremely helpful in improving the justice delivery system, reducing delays, and creating a more equal approach for legal remedies to all Pakistanis.

Research Limitations

This study is limited in the difference in delay and delayed justice of criminal justice system in Pakistan. The study has, for the most part, relied on secondary data (e.g. academics articles, reports, legal memoranda, etc.), which may not accurately portray every issue litigants are encountering in "real-world" situations. Secondly, there are no in-depth field surveys and interviews with judges, lawyers or under-trial prisoners, and the resources and time limits do not afford first-hand insights. Third, it pays much attention to general trends in Pakistan, which do not necessarily represent regional differences and experiences of particular marginalized groups.

Also, the research might be influenced by changing legal reforms and policies over time, and hence, some of the findings might not be relevant. Lastly, the research focuses on civil and criminal delays and fails to delve into other areas of law that are specialized. These limitations imply that even though the study offers important insights, its conclusions must be viewed in the context of these limitations.

Research Implications

The findings of this study have relevant policy implications, implications for practice, and implications for future research. The researchers say that the judicial system needs to change. They may involve increases in the number of judges handling cases, or make use of technology to help in a courtroom to speed case processing and improve performance. Delayed justice's social and economic effects. The researchers argue the need to safeguard people's rights in court cases. It will bring down the number of people detained during the pendency of the case. The findings of the study enables the policymakers with idea about actions. They cover the promotion of dispute resolution as well as educating individuals on the law. Furthermore, research studies are called for by the researchers. These studies might include surveys and interviews to gain an understanding of challenges in regions.

Future Research Directions

Researches on delayed justice in Pakistan need to be focused in finding solutions. The research should include spending time with the people who are waiting for trial and talking to them, including judges, lawyers and prisoners who are waiting for trial. These persons are representatives of day to day functioning of courts and can give insight. This will allow us to determine any areas in which the law is not being adhered to. The courts' efficiency can be also subject to study by examining countries' experiences in dealing with an inefficient judiciary and managing a large volume of cases in the courts.

It can be used to examine the use of technological processes including computers to efficiently resolve disputes. The performance of the courts can also be monitored. The study of courts in settings where citizens lack the authority and of men and women's access to these courts can uncover inequalities. There needs to be a look at how effective any changes are in reducing delay – including the introduction of computers into courts, and judge training. The primary objective is to give suggestions for future research about delayed justice in Pakistan which would make the justice system better, fairer and more accessible for the people of Pakistan. Research can provide us with Ideas to improve the Justice system in Pakistan. Delayed justice in Pakistan is an issue. The system of Justice should be made fairer. It's really important that Pakistan's justice system be easily accessible to people.

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