
DIGITAL JUSTICE IN INDIA: A SOCIO-LEGAL ASSESSMENT OF VIRTUAL COURTS AND ACCESS TO JUSTICE

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ABSTRACT

Imagine a daily-wage worker who has to lose a day's income just to travel to a district court, only to find out that the case has been postponed again. For millions of Indians, getting justice has always involved problems such as distance, travel costs and long delays.

The COVID-19 pandemic changed the way courts worked. Indian courts had to move online very quickly. What started as an emergency solution has now become an important part of the justice system. Initiatives such as eCourts Mission Mode Project, traffic virtual courts, e-filing, e-Sewa Kendras and the recognition of electronic proceedings under the Bharatiya Nagarik Suraksha Sanhita, 2023 have made the justice system more accessible and technology driven.

This paper studies these developments from a socio-legal perspective. It examines the constitutional basis of digital justice through Articles 14, 21 and 39A and important Supreme Court decisions such as Anita Kushwaha v. Pushap Sudan, Swapnil Tripathi v. Supreme Court of India and Sarvesh Mathur v. Registrar General.

The paper also looks at official data on virtual courts, video-conferencing and digital assistance centres. Technology has clearly reduced travel, cost and distance for many people. However, these benefits are not available equally to everyone. Problems such as the digital divide, poor infrastructure, concerns about fair trials in online criminal proceedings, privacy risks and errors caused by artificial intelligence can create new barriers to justice.

The paper argues that digital justice should be designed around people who have the least access to technology. Hybrid hearings, assisted digital access and strong data-protection measures are therefore important for making digital justice truly accessible.

Keywords: Access to Justice; Virtual Courts; eCourts Project; Digital Divide; Hybrid Hearings; Article 21.

I. INTRODUCTION

For most Indians, going to court is not a simple one-time event. It can mean taking a day off work, spending money on travel, waiting for hours in a crowded court and, sometimes, being told that the case has been postponed.

Distance, cost and delay have always made it difficult for ordinary people to access justice. As of July 2026, more than 4.99 crore cases were pending in district and subordinate courts, more than 64 lakh cases were pending in the High Courts and 92,755 cases were pending in the Supreme Court.¹

The important question, therefore, is not whether India needs changes in its justice system, but what kind of changes will actually help the people who need justice the most.

Technology has become one of the major ways of trying to solve these problems. What started in 2007 as the computerisation of courts has developed into a large digital system that includes e-filing, online case-status services, video-conferencing and virtual courts that deal with minor traffic offences.²

The COVID-19 pandemic made this change happen much faster. In 2020, judges, lawyers and litigants had to learn to attend court proceedings through screens instead of appearing physically in court.

Today, the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) also allows trials, inquiries and other proceedings to be conducted electronically.³

But an important question remains: **Does moving justice online actually make justice easier to access, or does it simply move the old problems from the courtroom to the internet?**

¹Lok Sabha, Unstarred Question (2026) (written reply of Arjun Ram Meghwal, Minister of State (Indep. Charge) for Law & Justice, citing NJDG data as on July 28, 2026), as reported in *Jammu Kashmir High Court Pendency Rises to 44,551 Cases; Subordinate Courts Cross 3.65 Lakh, Centre Tells Lok Sabha*, KASHMIR LIFE (2026), <https://kashmirlife.net/jammu-kashmir-high-court-pendency-rises-to-44551-cases-subordinate-courts-cross-3-65-lakh-centre-tells-lok-sabha-446942/>.

²*Cabinet Approves eCourts Phase III for 4 Years*, PRIME MINISTER OF INDIA (Sept. 13, 2023), https://www.pmindia.gov.in/en/news_updates/cabinet-approves-ecourts-phase-iii-for-4-years/.

³The Bharatiya Nagarik Suraksha Sanhita, 2023, § 530, No. 46, Acts of Parliament, 2023 (India).

This paper tries to answer this question from a socio-legal perspective. A purely legal study mainly asks what the law allows. A socio-legal study goes further and asks who benefits from the law, who may be left behind and how the system actually works in people's lives.

This paper therefore examines the constitutional basis of digital justice, official data and the real-life effects of digital court reforms before suggesting possible improvements.

II. UNDERSTANDING DIGITAL JUSTICE AND VIRTUAL COURTS

The term "virtual court" is often used to describe different things, so it is important to understand what it actually means.

In official usage, a virtual court is a specific system created under the eCourts Project to deal mainly with minor traffic offences. Traffic challans are sent electronically, and a person can pay the fine online without physically going to court. The case can therefore be completed without the person or their lawyer appearing physically in court.⁴

A virtual judge can have jurisdiction across an entire State, and the system can potentially operate throughout the day.⁵

The term "digital justice" is broader. It includes all the ways in which technology is used in the justice system. This includes:

- filing cases online;
- paying court fees online;
- sending summons electronically;
- conducting hearings through video-conferencing;
- live-streaming court proceedings;
- maintaining digital court records; and

⁴*Virtual Courts*, DEP'T OF JUST., GOV'T OF INDIA, https://dashboard.doj.gov.in/ecourts-projects-phaseII/virtual_courts.php (last visited Sept. 22, 2026).

⁵*Id.*

- providing public information through the National Judicial Data Grid (NJDG).

This paper uses the term digital justice in this wider sense as well. Whether someone is paying a traffic fine online or giving evidence through a video link from a prison, the basic question is the same: **Does technology make justice easier to access, or does it create another barrier?**

Digital courts can generally be understood through three models.

The first is the **fully online model**, such as traffic virtual courts, where the entire process can take place online without a physical hearing.

The second is the **video-conference model**, where a traditional court hearing takes place through a screen.

The third is the **hybrid model**, where some people are physically present in court while others participate online.

Each model has its own advantages and problems.

III. CONSTITUTIONAL AND LEGAL FOUNDATIONS

A. Access to Justice as a Fundamental Right

The Constitution does not use the exact words "access to justice" in one particular provision. However, the idea is present throughout the Constitution.

Article 14 guarantees equality before the law. Article 21 protects life and personal liberty. Article 39A directs the State to provide a legal system that promotes justice based on equal opportunity and ensures that people are not denied justice because of economic or other disadvantages.⁶

In *Hussainara Khatoon*, the Supreme Court also recognised speedy trial as part of the rights protected under Article 21.⁷

⁶INDIA CONST. arts. 14, 21, 39A.

⁷*Hussainara Khatoon v. Home Sec'y, State of Bihar*, (1980) 1 SCC 81 (India).

A major decision came in *Anita Kushwaha v. Pushap Sudan*. The Constitution Bench held that access to justice is part of the rights protected under Articles 14 and 21.⁸

The Court identified four important requirements:

1. There must be an effective system for deciding disputes.
2. The system should be reasonably accessible in terms of distance.
3. The process should be reasonably speedy.
4. The process should be affordable.

These four requirements provide a useful way of examining virtual courts.

Technology can clearly help reduce travel and cost. However, the more difficult question is whether these benefits are available equally to everyone.

B. Judicial Recognition of Technology in Courts

Indian courts recognised the usefulness of technology even before the COVID-19 pandemic.

In *State of Maharashtra v. Dr. Praful B. Desai*, the Supreme Court held that evidence recorded through video-conferencing can satisfy the legal requirement that evidence must be taken in the presence of the accused. The Court explained that "presence" does not necessarily have to mean physical presence.⁹

This decision became an important foundation for the later use of video-conferencing in courts.

In *Swapnil Tripathi v. Supreme Court of India*, the Supreme Court went further and held that live streaming of court proceedings is connected with the right of access to justice and the principle of open courts.¹⁰

⁸Anita Kushwaha v. Pushap Sudan, (2016) 8 SCC 509 (India).

⁹State of Maharashtra v. Praful B. Desai, (2003) 4 SCC 601 (India).

¹⁰Swapnil Tripathi v. Supreme Court of India, (2018) 10 SCC 639 (India).

When the COVID-19 pandemic began, the Supreme Court issued directions in *In re: Guidelines for Court Functioning through Video Conferencing during COVID-19 Pandemic*. These directions allowed courts across India to continue functioning through video-conferencing.¹¹

After the pandemic, some courts started reducing or stopping these facilities. This led to the case of *Sarvesh Mathur v. Registrar General, High Court of Punjab and Haryana*.¹²

The petitioner complained that the High Court had stopped providing video-conferencing facilities.

The Supreme Court asked for information from High Courts and tribunals across the country. It found that practices were different from one court to another. The Court directed High Courts not to deny video-conferencing or hybrid access to lawyers and litigants who wanted to use it. It also directed the Union Government to provide the infrastructure required for hybrid hearings in tribunals.¹³

The importance of *Sarvesh Mathur* is that it treated online access to courts as something that should be available to people, rather than simply something that courts may provide when convenient.

C. Statutory Framework

The law has also developed to recognise the use of technology in court proceedings.

Section 530 of the BNSS allows trials, inquiries and other proceedings to be conducted electronically. This includes issuing summons, examining witnesses and recording evidence.¹⁴

The Bharatiya Sakshya Adhiniyam, 2023 also recognises electronic records as documents and provides rules regarding their admissibility.¹⁵

¹¹In re Guidelines for Court Functioning through Video Conferencing during COVID-19 Pandemic, Suo Motu Writ Petition (Civil) No. 5 of 2020 (India) (order dated Apr. 6, 2020).

¹²Sarvesh Mathur v. Registrar Gen., High Court of Punjab & Haryana, Writ Petition (CrI.) No. 351 of 2023 (India) (order dated Sept. 15, 2023).

¹³Sarvesh Mathur v. Registrar Gen., High Court of Punjab & Haryana, 2023 INSC 891 (India) (order dated Oct. 6, 2023).

¹⁴The Bharatiya Nagarik Suraksha Sanhita, 2023, *supra* note 3, § 530.

¹⁵The Bharatiya Sakshya Adhiniyam, 2023, §§ 2(1)(d), 61–63, No. 47, Acts of Parliament, 2023 (India).

The Information Technology Act, 2000 gives legal recognition to electronic records as well.¹⁶

Therefore, digital justice is no longer only an emergency arrangement created during COVID-19. It has become part of India's regular legal framework.

D. The Internet, Privacy and Rights

Two other areas of constitutional law are important when discussing digital justice.

In *Anuradha Bhasin v. Union of India*, the Supreme Court recognised constitutional protection for freedom of speech and expression and the freedom to carry on trade through the internet. The Court also held that restrictions must satisfy the requirement of proportionality.¹⁷

In *Faheema Shirin R.K. v. State of Kerala*, the Kerala High Court recognised the importance of internet access in relation to the right to education and the right to privacy under Article 21.¹⁸

If access to courts increasingly depends on the internet, then internet access becomes an important gateway to justice in practical terms.

At the same time, *K.S. Puttaswamy v. Union of India* established privacy as a fundamental right.¹⁹ This becomes especially important when court hearings, documents and personal information are moved online.

IV. THE GROWTH OF VIRTUAL COURTS: WHAT THE DATA SHOWS

A. The eCourts Project

The eCourts Integrated Mission Mode Project has been operating since 2007 as part of the National e-Governance Plan.

In September 2023, the Union Cabinet approved Phase III of the project for four years

¹⁶The Information Technology Act, 2000, § 4, No. 21, Acts of Parliament, 2000 (India).

¹⁷*Anuradha Bhasin v. Union of India*, (2020) 3 SCC 637 (India).

¹⁸*Faheema Shirin R.K. v. State of Kerala*, 2019 SCC OnLine Ker 2976 (India).

¹⁹*K.S. Puttaswamy v. Union of India*, (2017) 10 SCC 1 (India).

with an allocation of ₹7,210 crore. The stated focus of the project is "access and inclusion".²⁰

Phase III aims to create:

- paperless courts;
- digital copies of old and new court records;
- universal e-filing;
- e-payment facilities; and
- e-Sewa Kendras in every court complex.

B. Traffic Virtual Courts

Official data shows that traffic virtual courts have grown significantly.

Growth of Traffic Virtual Courts in India

Date	Virtual Courts	Cases Handled	Online Fines Realised
31 January 2023 ²¹	21 courts in 17 States/UTs	Over 2.40 crore	Over ₹359.34 crore
30 June 2024 ²²	28 courts in 21 States/UTs	Over 5.26 crore	Over ₹579.40 crore
30 October 2024 ²³	27 courts in 21 States/UTs	Over 6 crore	Over ₹649.81 crore
December 2025 ²⁴	Not specified	8.96 crore challans processed; 7.84 crore disposed	₹895.59 crore

Source: Compiled from official data of the Ministry of Law and Justice.

²⁰Cabinet Approves eCourts Phase III for 4 Years, *supra* note 2.

²¹Press Release, Ministry of Law & Justice, *E-Courts Project for Online Hearing* (Press Info. Bureau 2023), <https://www.pib.gov.in/Pressreleaseshare.aspx?PRID=1907546>.

²²Press Release, Ministry of Law & Justice, *Virtual Courts* (Press Info. Bureau 2024), <https://www.pib.gov.in/PressReleaseDetailm.aspx?PRID=2043474>.

²³Press Release, Ministry of Law & Justice, *Existing Virtual Courts in the Country* (Press Info. Bureau 2024), <https://pib.gov.in/Pressreleaseshare.aspx?PRID=2081106>.

²⁴*Govt Implementing e-Courts Project Phase III with Rs 7,210-Cr Outlay over 4 Years: MoS Meghwal*, KNN INDIA (Dec. 12, 2025), <https://knnindia.co.in/news/newsdetails/sectors/legal/govt-implementing-e-courts-project-phase-iii-with-rs-7210-cr-outlay-over-4-years-mos-meghwal>.

These numbers show significant use of the virtual-court system. However, the numbers need to be understood carefully.

As of 30 June 2024, more than 5.26 crore cases had been "handled", but online fines had been paid in only about 56.5 lakh cases. This is roughly 10.7 per cent.²⁵

The available data does not clearly explain what happened to the remaining cases.

This is important because processing a large number of challans does not necessarily mean that the system makes it easy for people to challenge a challan.

Under the current system, a person who wants to contest a challan is assigned a physical court and a date.²⁶ Therefore, the online system is particularly convenient for people who accept the challan and simply want to pay the fine.

C. Video-Conference Hearings

Video-conferencing became especially important during the COVID-19 lockdown.

Between March 2020 and October 2021, district courts handled around 1.01 crore cases through video-conferencing, while High Courts handled around 55 lakh cases. The Supreme Court conducted approximately 1.5 lakh hearings through this system.²⁷

These hearings helped courts continue functioning during a national crisis.

However, there were also infrastructure problems. The same study found that only 57.4 per cent of district courtrooms had video-conferencing-enabled computers on the judge's dais.²⁸

This shows that having a legal framework for online hearings is not enough. Courts also need proper equipment and reliable internet connections.

²⁵Press Release, *Virtual Courts*, *supra* note 22 (reporting 5,26,53,142 cases handled and online fines realised in 56,51,204 cases). The percentage is the author's calculation.

²⁶*Virtual Courts: Frequently Asked Questions*, VIRTUAL COURTS, <https://vcourts.gov.in/virtualcourt/faq.php> (last visited Sept. 22, 2026).

²⁷Satya Prakash, *Indian Judiciary Witness Silent Digital Revolution*, TRIBUNE (Dec. 19, 2023), <https://www.tribuneindia.com/news/india/courts-witness-silent-digital-revolution-573621> (reporting findings of the Supreme Court's report on the State of the Judiciary).

²⁸*Id.*

D. Assisted Access and e-Filing

Not everyone can easily use digital court systems on their own.

To address this problem, Phase III of the eCourts Project includes e-Sewa Kendras. These are help centres located in court complexes. They help people with:

- checking case status;
- e-filing;
- obtaining certified copies;
- making e-payments; and
- joining video hearings.

There were 1,987 e-Sewa Kendras in December 2025.²⁹ As of 30 June 2026, there were 49 such centres in High Courts and 2,535 in district courts.³⁰

More than 1.25 crore cases have been e-filed and more than 753 crore pages of records have been digitised.³¹

These developments show how quickly the Indian judiciary is moving towards digital systems.

V. A SOCIO-LEGAL ASSESSMENT: WHO GAINS AND WHO IS LEFT BEHIND

A. The Real Gains

Digital justice has provided real benefits to many people.

A person living in a remote area can check the next hearing date using a mobile phone instead of travelling to court.

²⁹KNN INDIA, *supra* note 24.

³⁰Press Info. Bureau, *Digital Transformation of Indian Judiciary* (2026), reproduced in TAXGURU (Aug. 7, 2026), <https://taxguru.in/corporate-law/digital-transformation-indian-judiciary.html>.

³¹*Id.*

A lawyer working in a small town can appear before a High Court located hundreds of kilometres away.

Undertrial prisoners can appear before courts through video links, reducing transportation costs and security risks.

Digital hearings can also help women with caregiving responsibilities, elderly people and persons with disabilities. For some of them, being able to participate from home can make the difference between being able to take part in a case and not being able to participate at all.

These benefits directly relate to the "distance" and "affordability" requirements identified by the Supreme Court in *Anita Kushwaha*.

B. The Digital Divide

The biggest problem is that these benefits are not equally available to everyone.

India had around 958 million active internet users in 2025, with rural users making up the majority.³²

However, simply having a mobile phone or internet connection does not mean that a person can easily use a court website.

A person may still have difficulty:

- understanding a court portal;
- uploading documents in the correct format;
- joining a video hearing; or
- dealing with an unstable internet connection.

There is also a significant gender gap.

³²INTERNET & MOBILE ASS'N OF INDIA & KANTAR, INTERNET IN INDIA REPORT 2025, *as reported in India's Internet Users Near One Billion in 2025, Rural India Leads Growth: IAMAI*, BEST MEDIA INFO (Jan. 30, 2026), <https://bestmediainfo.com/insights/indias-internet-users-near-one-billion-in-2025-rural-india-leads-growth-iamai-11056899>.

An analysis of National Family Health Survey data from 2019–21 found that only about 33 per cent of women in India used the internet. The figure was around 51.7 per cent for urban women and 24.8 per cent for rural women.³³

This creates a serious problem for women who need legal protection but may not have their own phone or reliable internet access.

Language is another problem.

Court websites and legal documents often use English or the official language of the State. Many litigants, however, are more comfortable using their local language.

People with visual or hearing disabilities may also face difficulties if digital platforms are not designed to be accessible.

As a result, a completely digital system can sometimes reproduce the same inequalities that Article 39A seeks to reduce.

e-Sewa Kendras can help solve this problem, but there is still an important limitation: they are generally located inside court complexes. A person living in a rural area may therefore still have to travel to the court simply to get help using the digital system.

C. The Quality of Virtual Hearings

Access to justice is not only about entering a virtual courtroom. People must also be able to participate properly once they are there.

Virtual hearings can face problems such as:

- poor audio;
- frozen video;
- dropped connections; and

³³A. Singh et al., *Understanding the Drivers of Urban–Rural Divide in Women's Internet Use in India: A Decomposition Approach*, 5 SN SOC. SCI. 178 (2025), <https://doi.org/10.1007/s43545-025-01218-2>.

- other technical problems.

When a connection fails, the person with weaker technology may lose the opportunity to properly explain their case.

The issue becomes even more important in criminal cases.

When an undertrial prisoner appears through video from a jail, the accused may not be able to speak privately with their lawyer. They may also have difficulty following the hearing or communicating properly with the judge.

If remand hearings are conducted mechanically through video, there is a risk that an important constitutional safeguard may become only a formality.

Remote cross-examination also creates concerns. For example, it may be difficult to know whether someone outside the camera's view is influencing or coaching a witness.

In *Praful Desai*, the Supreme Court accepted video evidence on the assumption that the hearing environment would be properly controlled. Those safeguards therefore need to exist in actual practice.

At the same time, video hearings can also protect vulnerable witnesses.

Child witnesses and survivors of sexual violence may be able to give evidence from a separate room through video. This can reduce stress and avoid direct confrontation with the accused.

Therefore, the issue is not simply whether video hearings are good or bad. Their usefulness depends on the person involved and the rights that need to be protected.

D. Privacy and Data Protection

Digital courts create and store large amounts of personal information.

This can include:

- identity documents;

- phone numbers;
- addresses;
- medical information; and
- recordings of court hearings.

Live streaming can improve transparency, but it can also create privacy problems.

For example, people involved in family disputes, matrimonial cases or sexual-offence cases may face public embarrassment or harm if recordings of their hearings are shared online without proper context.

After *Puttaswamy*, privacy is recognised as a fundamental right. The Digital Personal Data Protection Act, 2023 also provides an important legal framework for data protection.³⁴

Courts and agencies managing digital court systems therefore need to treat data protection as an important legal responsibility rather than simply a technical issue.

There should be clear rules about:

- who can record court proceedings;
- how long recordings should be stored;
- who can access them; and
- what consequences should follow if recordings are misused.

E. Artificial Intelligence and the Integrity of Adjudication

Phase III of the eCourts Project has allocated ₹53.57 crore for artificial intelligence and machine-learning tools for areas such as transcription, translation and legal research.³⁵

These technologies can make courts more accessible. For example, translation tools may

³⁴The Digital Personal Data Protection Act, 2023, No. 22, Acts of Parliament, 2023 (India).

³⁵Press Info. Bureau, *supra* note 30.

help people understand judgments in regional languages.

However, AI also creates serious risks if its output is not checked properly.

In *Pooja Ramesh Singh v. Jammu & Kashmir Bank Ltd.*, the Supreme Court in 2026 set aside orders of the National Company Law Tribunal and its appellate tribunal because they had relied on non-existent judgments produced by an AI tool.³⁶

The Supreme Court stated that a decision based on fake or "hallucinated" material cannot stand. It also took a strict approach towards the use of unverified AI-generated legal authorities and directed the Bar Council of India to frame guidelines.³⁷

This case shows that technology should assist the justice system, not replace human responsibility. A judge must remain responsible for the final decision.

F. The Risk of "Efficiency Without Justice"

There is also a larger issue with the way digital justice is measured.

Government reports often focus on numbers such as:

- challans processed;
- pages digitised; and
- fines collected.

These numbers show how efficiently a system is processing information. But they do not necessarily show whether people feel that they have been heard or whether they trust the justice system.

At the same time, court pendency continues to be high.

In district and subordinate courts, the number of pending cases increased from around

³⁶*Pooja Ramesh Singh v. Jammu & Kashmir Bank Ltd.*, 2026 INSC 668 (India).

³⁷*Id.*; see also *Reliance on AI-Generated Fake Precedents*, SUP. CT. OBSERVER (July 13, 2026), <https://www.scobserver.in/supreme-court-observer-law-reports-scolr/reliance-on-ai-generated-fake-precedents/>.

4.77 crore at the end of 2025 to more than 4.99 crore by July 2026.³⁸

Therefore, digital justice should not be measured only by how much work is processed.

It should also be measured through factors such as:

- whether litigants are satisfied with the process;
- whether marginalised groups are able to participate;
- whether people understand the proceedings; and
- whether the system produces fair and meaningful outcomes.

VI. SUGGESTIONS

The discussion above suggests several practical reforms.

First, hybrid hearings should be treated as a legal right.

The approach taken in *Sarvesh Mathur* should be clearly reflected in procedural rules. Litigants should be able to choose whether they want to appear physically or online, subject to appropriate judicial directions.

Virtual access should not be removed without proper reasons.

Second, digital justice should be designed for people with the least access to technology.

e-Sewa Kendras should not exist only inside court buildings. Similar assistance centres could be created in:

- panchayat offices;
- Common Service Centres; and

³⁸Over 4.76 Crore Court Cases Pending Across India: Govt Informs Parliament, IANS (Feb. 13, 2026), <https://ianslive.in/over-476-crore-cases-pending-across-indian-courts-govt-tells-parliament--20260213184542> (NJDG data as on Dec. 31, 2025); KASHMIR LIFE, *supra* note 1 (NJDG data as on July 28, 2026).

- legal aid clinics.

These centres should have trained people who can help litigants use digital court services.

District Legal Services Authorities can play an important role because they already have a constitutional connection with the goal of equal access to justice under Article 39A.

Third, criminal cases require strong fair-trial safeguards.

Undertrial prisoners should be able to communicate privately with their lawyers.

Physical appearance should be available at important stages such as framing of charges and sentencing where appropriate.

Remote witnesses should also appear from controlled and supervised environments to reduce the possibility of outside influence.

Fourth, contesting a traffic challan should be as easy as paying it.

The traffic virtual-court system should provide an online option for people who want to challenge a challan.

The Government should also publish information about what happens to contested cases, including cases that are dismissed or transferred, rather than focusing only on the amount of fines collected.

Fifth, courts should have clear data-protection rules.

There should be clear rules regarding recording, storing and live-streaming hearings.

Special protection should be provided in sensitive matters such as family disputes and sexual-offence cases.

Sixth, AI-generated material should always be checked by humans.

Any AI-assisted material used in the justice system should be verified by a human being. Where necessary, its use should also be disclosed and the systems should be regularly reviewed.

This would be consistent with the concerns raised by the Supreme Court in its 2026 decision.

Finally, the experience of court users should be studied regularly.

Independent studies should examine how people from different regions, genders, languages and disability groups experience digital courts.

This would help policymakers make decisions based on actual evidence rather than only on large numbers of cases processed or pages digitised.

VII. CONCLUSION

India's move towards digital justice is one of the biggest changes in the country's judicial system. In less than two decades, courts that once depended heavily on paper have developed systems where millions of cases can be filed, tracked and handled digitally.

However, looking at digital justice from a socio-legal perspective shows that technology does not automatically make the justice system equal. For a person who has a good internet connection, understands technology and lives in an urban area, a virtual court may be very convenient. For a rural woman who does not have her own phone, an undertrial prisoner who cannot speak privately with a lawyer, or a litigant who cannot understand the language of a court website, the same system can create another barrier.

The idea of access to justice recognised in *Anita Kushwaha* requires justice to be reasonably accessible, speedy and affordable for everyone, not only for people who are comfortable using technology. The solution is therefore not simply to choose between physical courts and virtual courts. Both systems can work together.

If digital justice is designed around people who have the least access to technology, supported by proper assistance, strong privacy protections and reliable data, it can make courts more accessible. If these issues are ignored, technology may simply move the existing problems of the justice system from the courtroom to a computer or mobile screen. Ultimately, the success of digital justice depends not only on how much technology the courts use, but on whether that technology actually helps ordinary people access justice.