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Indian Judicial Review and Its Evolution: A Comparative Analysis

Shakshi Priyadarshini^a Lekshmy G. Raj^b

^aSymbiosis Law School, Nagpur, India ^bSymbiosis Law School, Nagpur, India

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The cornerstone of democracy is judicial review, which gives the court the authority to examine and reject government choices that contravene fundamental constitutional principles. Ever since the Declaration of Independence, judicial review has been considered essential to defending citizen's rights. The Government of India Act 1935¹ served as its foundation in India, but it was not until after independence that it began to acquire traction because its influence was constrained by British rule. The principle was reinforced by significant decisions like Kesavananda Bharati v Union of India². However, the judiciary encountered various obstacles during the time of emergency, which are elucidated in the seminal case of ADM Jabalpur v Shiv Kant Shukla³. The judiciary's recovery and revival following the emergency can be demonstrated by the landmark judgements laid out in cases such as Maneka Gandhi v Union of India⁴, which was ruled out in the constitution of India that the judicial review to be considered as the custodian, comparative analysis with US and UK will give insight about the origination of the principle. Moving forward, in the future Judicial Review will face challenges related to technological advancements such as AI which needs to be focused. This paper aims to analyse these challenges and suggest strategies for their mitigation, additionally, this paper also aims to give insight into Judicial Review's role in promoting Constitutional Values in India.

¹ Government of India Act 1935

² Kesavananda Bharati Sripadagalvaru v Union of India (1973) 4 SCC 225

³ Additional District Magistrate v S. S. Shukla (1976) SCR 172

⁴ Maneka Gandhi v Union of India (1978) SCR (2) 621

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INTRODUCTION

Judicial Review is the process by which courts get the power to review and even invalidate the government's actions which are incompatible with the principles of the Constitution. India since the time of independence has worked towards safeguarding the rights of its citizens to foster democracy in the society. Judicial Review has undergone a critical and dynamic evolution which has helped in shaping the landscape of the nation. Judicial Review along with its development has also helped in the development of India and has become the cornerstone which is upholding the pillar of democracy in India along with establishing the supremacy of the Constitution.

It can be said that the seed of Judicial Review was planted through the Government of India Act, 1935, empowering the Judiciary to cancel laws that were infringing basic human rights. Although during colonial rule the power of the Judicial Review was very limited as soon as India became Independent in 1947, it adopted the principle of Judicial Review wholeheartedly as can be seen in the essence of Articles 13, 246, and 32. The landmark case of Kesavananda Bharati cemented its importance with the introduction of the 'Basic Structure Doctrine', which limited the parliament's power to amend, and it also established the Judiciary as the Guardian of the Constitution. But despite the advancements, a lot of challenges still existed in its way, one such period where the Judicial Review had to go through many tests was Of Emergency, which can easily be witnessed in the case of *ADM Jabalpur v Shiv Kant Shukla*⁵. But it revived in the period of Post Emergency, the case of *Maneka Gandhi* exemplifies it, the case showcased the resilience of the Judiciary in upholding the values of the Constitution, still the delay in Judicial Proceedings and the issue regarding enforcement casts a shadow on its efficacy.

Therefore, a comparative analysis with the Judicial Review Principle of countries in the West such as the UK and USA gives important insights which can be used for further development. The principle of Judicial Review originated in the case of *Marbury v Madison*⁶ in the US and

⁵ *Additional District Magistrate v S. S. Shukla* (1976) SCR 172

⁶ *Marbury v Madison* [1803] 5 U.S. 1 Cranch 137

Lord Coke's decision in *Bonham v Cambridge University*⁷ in England. With the help of these cases only, the Indian Judicial Review evolved with time.

Looking forward, as India has stepped into the age of technology the challenges and tussles related to technology such as AI are what Judicial Review needs to tackle as the principle needs to evolve with changing times as then only it can handle emerging challenges. Indian Judicial Review must face challenges regarding its adaptability to navigate the technological complexities upholding the values of the Constitution. The prime aim of this paper is to examine the emerging challenges and provide insights regarding ways in which they can be addressed.

At the core, this paper gives an outline of the map of how Judicial Review travelled a long journey highlighting the important jerks and valleys of revival and challenges which Judicial Review faced and overcame to reach where we see it today. With the help of a comparative analysis, of countries of the UK and US, the paper sheds light on the foundational seed and the dynamics related to it which helped in the evolution and establishment of Judicial Review in India. Finally, this paper aims to give deeper knowledge about the Principle of Judicial Review in the promotion and protection of constitutional values in India.

COMPARATIVE STUDY

After analyzing the concept of Judicial Review in the UK and the US, it can be easily understood that the scope of Judicial Review is much wider in India than it is there in the UK and the US, let us try to analyse it. The Constitution of the US is extremely strict and rigid and in it, the words are not expressly defined whereas the Indian Constitution is incredibly detailed, and it is the wealthiest constitution in the world. Whereas the UK's constitution is not written, the Judicial Review concept is limited.

⁷ *Bonham v Cambridge University* (1610) 8 Co. Rep. 107

The concept of Judicial Review is impliedly mentioned in the Indian constitution under Articles 13⁸, 32⁹, 131¹⁰-136¹¹, 143¹², 226¹³, 227¹⁴, 246¹⁵, 372¹⁶ though the principle is nowhere expressly defined or explained the essence is imbibed in the constitutional case of US there is no Specified provision related to Judicial Review but under article III and IV embodies the Judicial Power of court and the principle of Constitutional Supremacy and that all laws are subject to the constitution, therefore, the Principle is deeply incorporated. Whereas in the case of the UK where there is no written constitution therefore it is discretionary of the court. The Indian Constitution is so detailed and descriptive that it even bifurcates the Judicial Review in Pre-constitutional and post-constitutional laws in Article 13. It is nowhere defined, described, and divided in the constitution of the US and UK.

In India Judicial Review is multi-dimensional such as judicial review of Legislative Acts, Administrative Acts and Constitutional Amendments. What is different is the US as the constitution is very rigid, the review of amendments made in the Constitution is very rare and the Supreme Court does not possess the power to examine the Administrative Act and Legislative Act which are violative of the Constitution. In the UK only secondary legislations are subjected to Judicial Review and Legislative Acts of Parliament are outside the scope of Judicial Review.

In the UK, the principle of Parliamentary Sovereignty has prevailed and therefore the Parliament is supreme and that is why the acts made by the parliament cannot be challenged in the courts whereas in India and the USA, the principle of Constitutional Supremacy has prevailed and therefore all the laws are subject to the constitutional analysis of court.

In the US, the Principle of Judicial Review is extended through the term 'Due Process of Law' with its application USA works very cautiously while determining the constitutionality of any Legislative Act on substantial and procedural grounds. Whereas the principle of 'Procedure established by Law' is followed which only allows the declaration of acts as void only on the

⁸ Constitution of India 1950, art 13

⁹ Constitution of India 1950, art 32

¹⁰ Constitution of India 1950, art 131

¹¹ Constitution of India 1950, art 136

¹² Constitution of India 1950, art 143

¹³ Constitution of India 1950, art 226

¹⁴ Constitution of India 1950, art 227

¹⁵ Constitution of India 1950, art 246

¹⁶ Constitution of India 1950, art 372

ground it is substantive. It is outside the scope of Indian Courts to make laws, the courts in India only have the power to interpret and determine the law, whereas in the US the concept of judge-made laws is there.

The role of Judicial Review in Administrative Actions is allowed in all three countries courts possess the power to invalidate any irrational or illegal actions which are exceeding the executive power. Historically, the Principle of Judicial Review was extremely limited but gradually a transformation can be seen especially in Human Rights, In India and the USA Judicial Review has a much wider scope as the courts have the power to examine and interpret the laws the courts even have the power to declare any of the violative act as Void.

Doctrines like severability and Eclipse are there in the Constitution of the US and India but it is absent from the Constitution of the UK which limits the power of Judicial Review. Courts in all three countries show degrees of Judicial Activism which is immensely helpful in shaping and evolving the scope of the Judicial Review in the countries.

HISTORY

Judicial Review in the US: The Constitution of America is written, and it is federally democratic, the spirit of the spirit of the Constitution is based on the Rule of Law and the Protection of Individual Liberty. It is said that ‘Separation of Power’ is the heart and soul of the Constitution of America, the Constitution of America is based on several various principles; one such principle is the principle of Judicial Review. The judiciary has the power to null or anil the actions of the president or the government if they are violating the Constitution; the principle of Judicial Review is not explicitly mentioned in the contract but the essence of it can be found in Articles III and IV of the Constitution. In the Landmark case of *Minnerville School District v Gobitis*¹⁷, Hon'ble Justice Frankfurd observed and said that Judicial Review is a limitation that has been put on Popular Government, and Judicial Review is a part of The Constitution.

The objective of the Principle of Judicial Review in USA:

1. The laws are to be declared unconstitutional if they contradict the Constitution.

¹⁷ *Marbury v Madison* (1803) 5 U.S. 1 Cranch 137

2. To defend the laws which are valid but are challenged to be constitutional.
3. Protect and uphold the Supremacy of the Constitution by Interpreting its provisions.
4. Serve the legislative action of the congress being encroached by other departments of the Government.

Origin: The fruit of Judicial Review traces its roots with the foundational legal principles and court decisions though the seed was planted through the landmark judgement of Bonham (England) which initiated the process of Judicial Review, in the landmark case of US v Tale Todd¹⁸, decided but the Supreme Court of the US was the first case where the Supreme Court declared a statute unconstitutional. In the year 1796, Hylton v US¹⁹, Justice Todd made an observation when he said, *'It is important for me to analyse whether the court constitutionally has the right to declare any of the act made by Congress Null and Void if it is violative of the Constitution, but if courts have the power then I am free to do so'* But the case of Marbury v Madison solidified the concept of Judicial Review, Justice Marshall's observation established the Principle of Judicial Review and empowered the court to Anul the statutes which are violative to the constitution.

System: The Judicial Review principle is not explicitly mentioned in the Constitution but is implicit within Articles III and IV. In the judgement of Marbury v Madison (1803)²⁰, the Supreme Court held and declared the Judiciary Act of 1780 unconstitutional, following the precedent set in this case such as in McCulloch v Maryland²¹ (1819), Youngstown Sheet & Tube Co. v Sawyer²² (1952) and Plessy v Ferguson²³, further sketched the Judiciary's role in the application of the Constitutional Principles.

Current Position: The Marbury case widened the scope of the Principle of the Judicial Review, which can also be seen in the current scenario. One such can be understood through the case laws such as Reed v Town of Gilbert²⁴, Arizona where Justice Clarence on behalf of the majority held that all content-based laws which are based on target speech are presumed to be

¹⁸ Wilfred J. Ritz, 'United States V. Yale Todd (U.S. 1794)' (1958) 15(2) Washington and Lee Law Review <<http://scholarlycommons.law.wlu.edu/cgi/viewcontent.cgi?article=3848&context=wlulr>> accessed 08 April 2024

¹⁹ *Hylton v United States* (1796) 3 US 171

²⁰ *Marbury v Madison* (1803) 5 US 1 Cranch 137

²¹ *McCulloch v Maryland* (1819) 17 US (4 Wheat.) 316

²² *Youngstown Sheet & Tube Co. v Sawyer* (1952) 343 U.S. 579

²³ *Plessy v Ferguson* (1896) 163 US 537

²⁴ *Reed v Town of Gilbert* (2015) 576 US 155

unconstitutional and may be justified only if the government proves it to be tailored to the interest of the state. We can clearly understand that the Principle of Judicial Review is flourishing and developing in the US, in future, this will evolve more with evolution in technological aspects as well which will eventually help in the evolution Of Judicial Review.

Judicial Review in UK

Origin and System of Judicial Review: The system of Judicial Review in the UK has evolved, it was shaped by many landmark precedents and Judicial Developments before the evolution of Judicial Review UK used to work under the Doctrine of Parliamentary Sovereignty this Doctrine limits the intervention of the Judiciary in Legislative matters. However, the emergence of the European Convention on Human Resource expanded the scope of Judicial Review, it challenged the traditional notions of Legislative Supremacy.

Origin of Judicial Sovereignty: The Principle of Parliamentary Sovereignty was remarked on by Justice Holt in the case of the *City of London v Wood*²⁵, which established parliament as the Supreme Body and highlighted that the Legislature doesn't have the power to amend laws made by parliament as those laws can't be wrong though they may seem to look odd, thus the idea of Judicial Restraint prevailed leading to the prevention of Judiciary's ability to challenge statutes made by the parliament.

European Influence and the Expansion of Judicial Review: The concept of Judicial Review underwent a crucial transformation with the incorporation of European Legal Principles into the UK's law. The establishment of the European Convention on Human Resources further the validation of the Human Resource Act 1998 marked a landmark moment for the elevation of Human Resource protection and also challenged the traditional notions of Parliamentary Sovereignty. The incorporation of the European Convention into Domestic Law empowered the courts in the UK to resolve Human Resource issues and enabled the Judicial Review of Primary Legislation to make it compatible with the standards.

Primary and Secondary Legislation: To understand the evolution of Judicial Review, firstly we will have to understand what is the difference between Primary and secondary legislation as it elaborates the delicate approach to Judicial Review in the UK. The primary

²⁵ *City London v Wood* [1796] 8 E.R. 1592

legislation can be said to be the Traditional Form as it enjoys a presumption of legality based on the Doctrine of Parliamentary Sovereignty. However, the advent of European Laws and the Human Resource Act (1998) acts as an exception in case of Human Resource limitations. In contrary to it the secondary legislation, which comprises Executive and Administrative actions, is a subject of Judicial Review without exception. As courts have the authority to examine secondary legislation for an unconstitutional action, to ensure respect for legal principles and procedural fairness.

CURRENT POSITION IN THE UK

In present times, the system of the UK is very much inclined towards Judicial Review. The courts in the UK are following Judicial Review strictly regarding secondary legislation and administrative actions. But Primary Legislation is, outside the scope of Judicial Review though there are some exceptional cases it is observed that Judicial reviews which are administrative action and executive in nature are the ones which is mostly a subject matter in the present scenario in the UK.

Initial Phase of Evolution (1950-late 60s)

Judicial review embarks from the date of British rule, although the genesis of the Indian judicial review starts from the practices of the U.S. Constitution. While establishing such a legacy, the Indian judicial review being weak, the Supreme Court was cautious. The court made sure that the interpretation adhered to the statutory rights and did not violate them. Landmark cases such as *State of Bihar v Kameshwar Singh*²⁶ (1952) lay down the established concept of 'due process' but in a limited framework.

Establishing the foundation in a propounded case like *Shankari Prasad v Union of India*²⁷(1951) rules the doctrine of eclipse, which restricts judicial intervention in legislative matters. Whereas the court understood the need to leave the area for elected representatives to make policies with a certain immunity from courts. This doctrine's main objective was to maintain a separation from the judiciary and the legislature.

²⁶ *State of Bihar v Kameshwar Singh* (1952) 1 SCC 528

²⁷ *Shankari Prasad Singh Deo v Union of India* AIR 1951 SC 458

After the initial restraint, the judiciary decided to plant a more assertive system. In *AK Gopalan v State of Madras*²⁸ (1950) which upheld the preventive detention laws and laid down the future contingencies based on the fundamental rights as enshrined in part III of the Indian constitution which became the essential part of judicial review. Apart from various cases article 32 of the Constitution empowers the Supreme Court and other lower courts to issue writs like habeas corpus and mandamus, which are potent tools for the courts to enforce fundamental rights and ensure an equal administration irrespective of one's position. During this era of establishment in judicial review, justices such as K R Khanna and B Jagannadhadas imposed many dissenting judgements though always not prevailing it did lay a framework for the development of the Indian judicial review. Furthermore, the 1950s and 1960s marked an important stage in the evolution of judicial review in India. With the Supreme Court gradually asserting its power as the guardian of the Constitution and laying more crucial roles yet to come.

Kesavananda Bharati v State of Kerala: The landscape of the Indian judicial review underwent a drastic shift in 1973 with the famous landmark case of *Kesavananda Bharati v State of Kerala*²⁹. In a broader context, before the case of *Kesavananda Bharati*, the scope of the judicial review remained a serious and unsolved issue as discussed above. Once the case arose from a challenge to the Kerala Land Reforms Act, which the petitioner argued violated property rights. The central question revolved around the extent of Parliament's power to amend the Constitution under Article 368. In a historic 7:6 majority verdict laid out, the Supreme Court introduced and established the doctrine of 'basic structure' which ascertained that the parliament's amending power is limited and not absolute. Elements such as federalism, parliamentary, democracy, secularism and fundamental rights were possessed by the constitution as a fundamental framework of core principles that couldn't be changed through amendments. With the basic structure kept in mind courts were able to hold certain amendments to be incompatible through this case as it empowered the judiciary to act as a bulwark against amendments that fundamentally alter the Indian constitution's overall description.

²⁸ *A.K. Gopalan v State of Madras* (1950) AIR 1950 SC 27

²⁹ *Kesavananda Bharati Sripadagalvaru v Union of India* (1973) 4 SCC 225

Moreover, the case had also gone beyond just the issue of amendments. To safeguard fundamental rights, subsequent judgements were enforced to the doctrine of basic structure which were deemed to be violations of crucial constitutional rules. While hailed as a landmark decision posing great influence on the judicial system, few argue that the court overstepped the decision-making powers by deifying the basic structure, a concept not completely mentioned in the Constitution. Yet despite such critiques, the case helped in the establishment of the principle of judicial supremacy in protecting core values of the constitution which helps to ensure a balance between legislative power and fundamental rights in India's vibrant democracy

During the Period of Emergency (1975-77)

The shadow was cast during 1975-77 a national emergency in India a range of national security concerns arose on the practice of judicial review. While the preceding times had seen a slow and steady growth of the judiciary's role, the emergency had seen a curtailment of this power. During the commencement of this emergency under art. 352 of the constitution suspended various fundamental rights including the right to life and liberty under art. 21. Hence empowering the government to detain citizens without a proper trial.

In the landmark case of *ADM Jabalpur v Shivkant Shukla*³⁰, a 4-1 judgement upheld the suspension of fundamental rights during the emergency. Stating that the individual rights posed less importance compared with the national security concerns which subsequently weakened judicial review as the court deferred to the interpretation of the situation. Despite the decision laid out in *ADM Jabalpur*, the Supreme Court demonstrated considerable independence in individual situations. In habeas corpus petitions challenging the custody of political opponents, the court, though confirming the legality of detention, occasionally examined the grounds of arrest and ordered their release if deemed sufficient.

The emergency serves as a stark reminder of the risk of controlled authority. The weakening of judicial review throughout this period emphasises the importance of a reliable and independent judiciary in safeguarding the principles of democracy.

³⁰ *Additional District Magistrate v S. S. Shukla* (1976) SCR 172

Post-Emergency Period (late 1970s -80s)

In India, the 1975-1977 emergency period hurt judicial review. Nonetheless, there was a notable comeback in the post-emergency era. During this time, the judiciary gained its lost ground and became a strong defender of the Constitution. The emergency tragedy caused a change in judicial thought. The courts took a more proactive stance placing a strong emphasis on upholding the judicial review process and the defence of fundamental rights. Significant rulings such as the *Maneka Gandhi v Union of India*³¹ the case defined the right to life as an expansive notion that encompasses multiple dimensions of human dignity. This opened the door for the judiciary to get involved in matters about social and economic rights.

Parliament's amending ability was limited by the 'basic structure doctrine' which was laid down in the *Kesavananda Bharati* decision of 1973, cases such as *Minerva Mills v Union of India*³² helped to clarify this approach during the post-emergency period. The court found that elements such as federalism, the separation of powers and judicial review are part of the fundamental framework, this confirmed the court's function as a restraint over the power of the government.

EXPANDING THE SCOPE OF JUDICIAL REVIEW

Public Interest Litigation (PIL): with the advent of PIL, concerned citizens could petition the court on behalf of underrepresented groups, this gave the judiciary to deal with concerns like social welfare and environmental problem

Social-Justice and Economic Rights: the court started acknowledging the significance of economic and social rights even as it maintained its emphasis on political and civil rights. Significant rulings such as *Olga Tellis v Bombay Municipal Corporation*³³ stressed the 'right to life' with dignity and obliged the state to deal with homelessness.

³¹ *Maneka Gandhi v Union of India* (1978) SCR (2) 621

³² *Minerva Mills v Union of India* (1980) AIR 1980 SC 1789

³³ *Olga Tellis v Bombay Municipal Corporation* (1985) 3 SCC 545

THE SCOPE OF JUDICIAL REVIEW IN THE FUTURE

The scope of judicial review in India is expected to be dynamic, influenced by changing social circumstances, new technology and continuing discussions, here are some possible areas of concentration to consider:

Expanding Frontiers: Socio-economic rights: the courts may examine social and economic rights in greater detail, tackling problems such as healthcare access, education and poverty, cases involving minimum salaries, respectable working conditions and environmental preservation may gain more attention.

Emerging Rights: As technology advances, new rights may appear that need to be interpreted by judges. Judicial review may be extended to cover matters such as data privacy, the right to be forgotten, and ethical considerations surrounding AI.

Proportionality Test: Applied to determine whether limitations on fundamental rights are reasonable the 'proportionality test' could eventually become more skilful to determine if limitations on fundamental rights are acceptable. This can entail giving the government grounds for restricting rights to more stringent examinations.

PILs: may be essential in making the government responsible for concerns related to social welfare, the environment and good governance in the future. Reforms in this sector may be necessary, nevertheless due to worries over pointless PILs and how they affect the workload of judges. Unforeseen events in the future may also influence judicial review. Emerging social movements, technical innovations and international issues may require the judiciary to modify its strategy.

The Role of Technology: The technology could have two functions. Online platforms may make it simpler to access the legal system, but they also give rise to worries about data privacy and potential biases in AI-powered judicial systems.

India's judicial review system is going to be dynamic and adaptable in the future, the judiciary's function as the protector of the constitution will need to be maintained while navigating new obstacles. Maintaining the judiciary's credibility and relevance in a society that is changing

quickly will require finding a balance between judicial activism and restraint, making sure that judgements are carried out effectively, and embracing technological innovations.

THE CHALLENGES, CRITICISM AND LIMITATIONS OF THE PRINCIPLE OF JUDICIAL REVIEW

Though judicial review plays an important part in the integrity of rule enforcement, the power is not conferred to the lower courts. The efficiency of the government can be diminished by the court through continuous interventions. In case, the judgements are influenced by personal motives, it can lead to harming the public peace. Thus, the separation of functions is followed in India.

From the doctrine of 'strict necessity' the court must rule on constitutional matters only when necessary. Therefore decisions on constitutional issues will not be made in a more general manner than what is necessary given the particular facts to which the ruling is to be applied nor will they be made in the case of someone who has benefited from a statute or who fails to demonstrate that the harm was caused by the statute's operation, nor will they be made if a reasonable interpretation of the statute allows the issue to be avoided.

If a case is capable of being decided on other grounds the judicial review of the court must be restricted from deciding conditional questions. However in one such case on PIL filed where a policy decision on the destruction of an existing secretariat building and construction of a new one which was made by the Telangana government was held to be not against the law and thus was not arbitrary and unreasonable.

We can further say that most decisions held or ruled by the judicial review and their power to bring changes are criticised, but they are mostly to be assessed according to the conditions or the factors posed in the situation.

CONCLUSION

Judicial Review is like the pillar stone in the mosaics of complex democracy in India, its principal aim is to protect, promote and safeguard the fundamental rights of the individuals in India. This paper elucidates the Principle of Judicial Review starting from the base, evolution, challenges and future aspects of the principle. The comparative analysis with the countries of

the West like the UK and the US helps to understand the principle even better, As we come to the end it becomes very clear that Judicial Review has travelled a very long way marked by landmark precedents, period of Ups and Down and evolving with time and preparing to face the future challenges be at the present position.

The principle from its budding stage rooted in the Government of India Act,1935, to the landmark judgement of Kesavananda Bharati v Union of India (1973) through this, principle the Doctrine of Basic Structure was established, with time the Judicial Review has transformed into a strong mechanism upholding and protecting the constitutional values. It faced a lot of challenges such as during the emergency period, as seen in the landmark case of ADM Jabalpur v Shiv Kant Shukla, soon it regained its power in the post-emergency period as seen in the Maneka Gandhi case.

Furthermore, The Comparative analysis sheds light on the minute and delicate differences in the system of Judicial Review. This part helped us to understand how the Judicial Review flourished in each of these countries. For example the concept came into being through the landmark Judgement of Marbury v Madison (1803) in the US, in the UK initially the principle was very limited but in time it gradually evolved.

Additionally, in the future Judicial Review will have to face a lot of challenges and there are a lot of opportunities waiting for the evolution of this principle. As we have stepped into the world of technology issues like AI and data privacy create new hurdles that the principal must navigate through. However, with these challenges new doors of innovation will open such as the application of the proportionality test and expansion of the socio-economic rights.

In conclusion, the Judicial Review in India proved to be a cornerstone in India's democracy, which is continuously evolving with time meeting the emerging challenges of the changing society. Through this article, we understood the crucial role of the protection and promotion of constitutional values, which makes it the pillarstone and strength of India's complex democracy.