

The Indian Constitution has not indeed recognized the doctrine of separation of powers in its absolute rigidity but the functions of the different parts or branches of the Government have been sufficiently differentiated and consequently it can very well be said that our Constitution does not contemplate assumption by one organ or part of the State, of functions that essentially belong to another

Rai Sahib Ram Jawaya Kapur v. The State of Punjab, *AIR 1955 SC 549 : (1955) 2 SCR 225*

see also : [Judicial restraint](#)