

SUPREME COURT OF INDIA

C. Ajithkumar

Vs.

State of Kerala

(S Majmudar and V Khare JJ.)

15.12.1999

JUDGMENT

S.B. MAJMUDAR, J.

1. Leave granted.
2. We have heard learned Counsel for the parties finally in this appeal.
3. The short question is whether the appellant who had worked from 28th November 1990 to 31st March 1999 on the disputed post, of course, under the stay order of the High Court was entitled to be paid salary for the period during which he worked on the principle of quantum meruit.
4. Looking to the facts and circumstances of the case and as ultimately the High Court held against the Appellant we deem it fit to direct the Respondent-State of Kerala to pay at least 50% of the salary payable to the Appellant during the aforesaid period.
5. The aforesaid amount shall be paid by the Respondent-State of Kerala to the Appellant within eight weeks from today.
6. Subject to the aforesaid modification High Court's order is confirmed.
7. The Civil Appeal will stand allowed to the aforesaid extent with no order as to costs.