

if B was a co-plaintiff with A, he may proceed to judgment for the balance of 10,000 baht.

341. — Prestations made by the defendant in order to satisfy the judgment creditor are equivalent to prestations made to the debtor.

ILLUSTRATION. — A is a creditor of B for 5,000 baht. B is the creditor of C for 2000 baht. A enters an action against C under Section 338. C pays 2000 baht to A. Such payment is equivalent to a payment made to B, that is to say C is discharged from his debt in the same way as if he had made payment to B.

342. — The defendant can set up against the judgment creditor all defences which he has against the debtor, excluding those which arose after the entry of the action.

ILLUSTRATION. — A is a judgment creditor of B for 5000 baht. B is a creditor of C for 2000 baht. C is a creditor of B for 3000 baht. A enters an action against C under section 338. C has notified B that his debt is extinguished by set off; C can plead set off in answer to the claim of A.

If C has become creditor of B after the entry of the action by A, he cannot plead set off in answer to A's claim.

if B was a co-plaintiff with A, he may proceed to judgment for the balance of 10,000 baht.

341.—Prestations made by the defendant in order to satisfy the judgment creditor are equivalent to prestations made to the debtor.

ILLUSTRATION.—A is a creditor of B for 5,000 baht. B is the creditor of C for 2,000 baht. A enters an action against C under Section 338. C pays 2,000 baht to A. Such payment is equivalent to a payment made to B, that is to say C is discharged from his debt in the same way as if he had made payment to B.

342.—The defendant can set up against the judgment creditor all defences which he has against the debtor, excluding those which arose after the entry of the action.

ILLUSTRATION.—A is a judgment creditor of B for 5,000 baht. B is a creditor of C for 2,000 baht. C is a creditor of B for 3,000 baht. A enters an action against C under section 338. C has notified B that his debt is extinguished by set off; C can plead set off in answer to the claim of A.

If C has become creditor of B after the entry of the action by A, he cannot plead set off in answer to A's claim.