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[356. — A debtor cannot notify set off after the obligation has been seized by order of the Court either before or after judgment.]

ILLUSTRATION. — A owes 10,000 baht to B. B owes 4000 baht to A. Both debts are due. A can at any time notify B that he sets off B's debt against A's own debt and that A's own debt to B is reduced to 6000 baht.

D being a judgment creditor of B for 15,000 baht obtains from the Court a decree ordering A to pay to D any monies due by A to B. If such decree is served after A has notified the set off to B, A is bound to pay 6000 baht only to D. But if A has not yet notified the set off to B when he is served with the decree, he cannot afterwards notify it and he is bound to pay 10,000 baht to D.

357. — Set off can be made even if the places of performance of the two obligations are different; but the party who makes the set off must make compensation to the other party for any injury resulting therefrom.

ILLUSTRATION. — A owes 5,000 baht to B, to be paid in Bangkok. B owes 7,000 baht to A to be paid in Chiangmai. B can set off the debt of A against his own debt to A, that is to say he can pay only 2,000 baht to A in Chiangmai, the surplus of his debt having been extinguished by way of set off. But if A suffers injury from the fact that he only gets in Chiangmai where bullion is scarce

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ILLUSTRATION.—A owes 5000 baht to B, to be paid in Bangkok. B owes 7000 baht to A to be paid in Chiangmai. B can set off the debt of A against his own debt to A, that is to say he can pay only 2000 baht to A in Chiangmai, the surplus of his debt having been extinguished by way of set off. But if A suffers injury from the fact that he only gets in Chiangmai where bullion is scarce

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