

In sahib, (air 1936
mad. 782), it has

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In Babulal v. Vindachal, (AIR 1943 Pat. 305), it has been held that the Article 48 applies to a suit for contribution in respect of a joint personal decree and it does not apply to a case where the liability is not personal but attaches to the immovable property.

In Dirga Prasanna v. Raghunath, (26 Cal. 254), it has been held that whereby an agreement of partnership every partner was permitted to borrow money on his own credit and to pay the money into firm for carrying on the business and where the partner borrowed money on his individual credit for the benefit of the partnership business and afterwards the money was realised from him under a decree by the creditor, a suit by the partner for contribution against the other partners would be governed by Art. 99 of the Limitation Act, 1908 (Art. 48 of the Act of 1963). Under the Art.

48, limitation runs as soon as the payment is made in excess of the plaintiffs share. In Meghavararam Naidu v. Md.

Mohiddin Sahib, (AIR 1936 Mad. 782), it has been held that in order to ascertain the date of payment the test is to find out not on what date the plaintiff lost dominion over the property but the date when the money ceased to be that of the plaintiff.