

Source: [sooperkanoon.com/act/452261](http://sooperkanoon.com/act/452261)

**Contract Act, 1872**

**Section 43 - ANY ONE OF JOINT PROMISORS MAY B.E COMPELLED TO PERFORM When two or more persons make a joint promise, the promisee**

SECTION 43: ANY ONE OF JOINT PROMISORS MAY B.E COMPELLED TO PERFORM When two or more persons make a joint promise, the promisee may, in the absence of express agreement to the contrary, compel any one or more of such joint promisors to perform the whole of the promise. Each promisor may compel contribution.-Each of two or more joint promisors may compel every other joint promisor to contribute equally with himself to the performance of the promise, unless a contrary intention appears from the contract. Sharing of loss by default in contribution.-If any one of two or more joint promisors makes default in such contribution, the remaining joint promisors must bear the loss arising from such default in equal shares. Explanation: Nothing in this section shall prevent a surety from recovering from his principal, payments made by the surety on behalf of the principal, or entitle the principal to recover anything from the surety on account of payments made by the principal.