

Islamic laws of Inheritance

Ilm -Ul _Miraas or Ilm Ul Faraidh

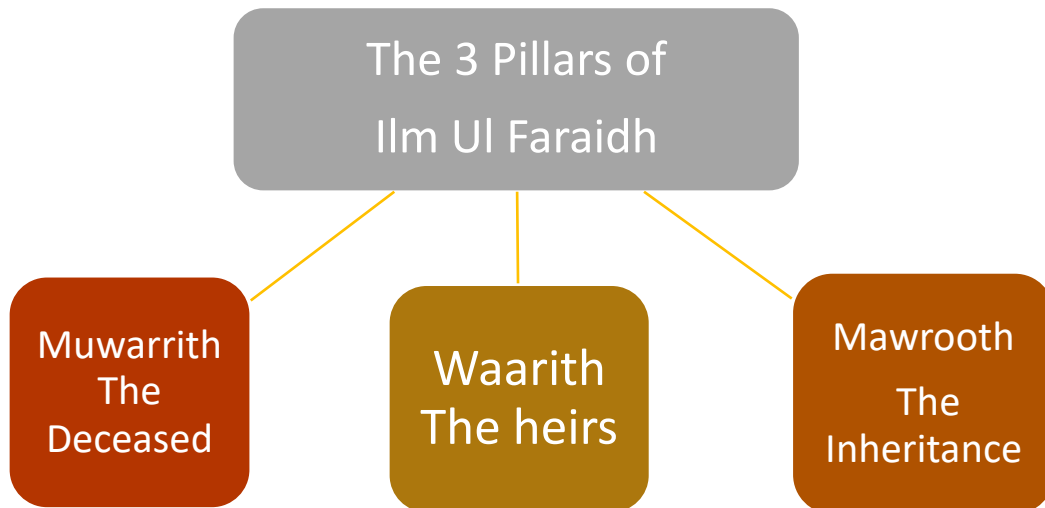
Rasulullah (sallallaahu `alayhi wasallam) has placed great emphasis on the importance of learning this knowledge. Among the narrations regarding `Ilm-ul-Faraa'idh, we find:

“I shall be taken away. Learn Faraa'idh and teach it (to others).”

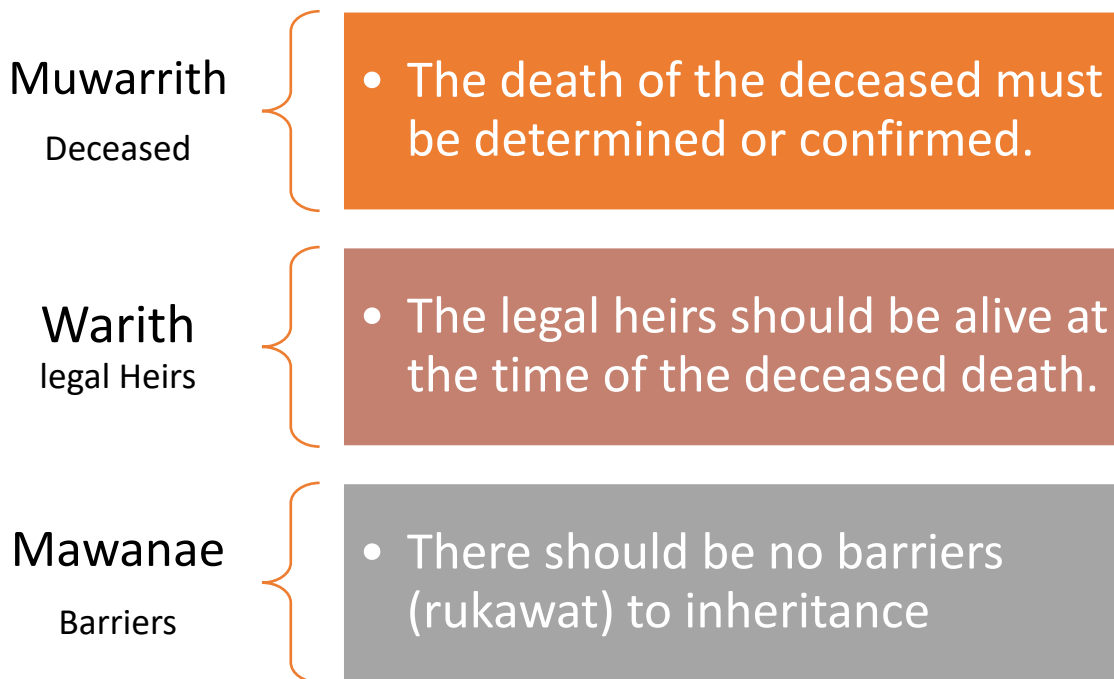
“O people! Learn Faraa'idh. It is half of knowledge.”

Predicting the disappearance of this knowledge, Rasulullah (sallallaahu `alayhi wasallam) has been reported to have said:

“The first (branch of) knowledge which will be taken away from my Ummah will be `Ilm-ul-Faraa'idh.”



Conditions of Inheritance (Wirasat ke Sharait)



Causes of Succession (Wirasat ke Asbaab)

Nasbi	Nikah	Wala
<ul style="list-style-type: none">• Blood relations• Parents/children	<ul style="list-style-type: none">• Marital relation• husband/wife	<ul style="list-style-type: none">• Release of a slave• the master who freed the slave inherits slave's inheritance

Impediments of Inheritance (Wirasat ke Mawanae)

Slavery - A slave cannot inherit nor can anyone inherit him/her

Murder - A killer cannot inherit from one whom he killed

Difference in Religion – A non muslim does not inherit a muslim and vice versa

Non legal heir - illegitimate child (wald-e-zina), adopted child

When a Muslim dies there are four duties which need to be performed.

- **payment of funeral expenses**
- **payment of his/ her debts**
- **execution his/ her will**
- **distribution of remaining estate amongst the heirs according to Islamic Law**

Heirs (Wursaa)

Zaawil Furoodh

- They are all the heirs who have fixed shares prescribed to them.
- **4 Men**
 - Father
 - Husband, Maternal Brother (akhyafi bhai)
 - Paternal Grandfather (Dada)
- **8 women**
 - Mother
 - Wife
 - Daughter
 - full sister (aini)
 - Maternal Sister (akhyafi)
 - Paternal sister (allati)
 - maternal Grandmother (nani),
 - Granddaughter from Son (poti)

Asabaat

- After the zaawil furoodh get their respective shares, the left over estate (if any) will be given to them.
- 2 types
 - Asaba Nasabi
 - Asaba Sababi

Zaawil Arhaam

- These are relatives through the female line.