

عالمية
دكتور حافظ انس نصر





SURAH AN-NISA', AYAH NUMBER 11-12
[WAALIDAIN AUR MIAN BIWI KA HISSA]

MODULE 6



Al'haqu alfarai'da biahliha, fama baqiya fahuwa la'ula rajulin 'zakarim

أَلْحَقُوا الْفَرَائِضَ بِأَهْلِهَا، فَمَا بَقِيَ فَهُوَ لِأُولَى رَجُلٍ ذَكَرٍ

“Maal Allah ki kitaab ke mutabiq ahl-e-faraaiz main taqseem karo aur jo kuch zawil farooz chhorhain qareebi mard us ka zyada haqdaar hai”

[Bukhari aur Muslim]



يُوصِيكُمُ اللَّهُ فِي أَوْلَادِكُمْ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنثَيَيْنِ ۚ فَإِن كُنَّ نِسَاءً فَوْقَ اثْنَتَيْنِ فَلَهُنَّ ثُلُثَا مَا تَرَكَ ۚ وَإِن كَانَتْ وَاحِدَةً فَلَهَا
النِّصْفُ ۚ وَلِأَبَوَيْهِ لِكُلِّ وَاحِدٍ مِّنْهُمَا السُّدُسُ مِمَّا تَرَكَ إِن كَانَ لَهُ وَلَدٌ ۚ فَإِن لَّمْ يَكُن لَهُ وَلَدٌ وَوَرِثَهُ أَبَوَاهُ فَلِأُمِّهِ الثُّلُثُ ۚ فَإِن كَانَ
لَهُ إِخْوَةٌ فَلِأُمِّهِ السُّدُسُ ۚ مَن بَعْدَ وَصِيَّةٍ يُوصَىٰ بِهَا أَوْ دِينَ ۚ ؕ أَبَاؤُكُمْ وَأَبْنَاؤُكُمْ لَا تَدْرُونَ أَيُّهُمْ أَقْرَبُ لَكُمْ نَفَعًا ۚ فَرِيضَةٌ مِّنَ اللَّهِ ۚ
إِنَّ اللَّهَ كَانَ عَلِيمًا حَكِيمًا

Allah Ta'la tumhain wasiyyat karta hai tumhari aulaad ke baray main ke larhkay ke liye hissa hai do (2) larhkiyon ke barabar phir agar larhkiyan hi hon (do [2] ya) do (2) se zyada tou un ke liye tarkay ka do tihaai (2/3) hai aur agar aik (1) hi larhki hai tou us ke liye aadha hai aur mayyat ke waalidain main se har aik (1) ke liye chhata hissa hai jo us ne chhorha agar mayyat ki aulaad ho aur agar us ki aulaad na ho aur us ke waaris maa baao hi hon tou us ki maa ka aik tihaai (1/3) hai phir agar mayyat ke behan bhain hon tou us ki maa ka chhata hissa hai baas us wasiyyat ki ta'meel ke jo wo kar jaye ya baad adaa-e-qarz ke tumharay baap aur tumharay betay tum nahi jaantay ke in main se kon tumharay liye zyada naafe' hai ye Allah ki taraf se muqarra kia hua fareeza hai yaqeenan Allah Ta'ala ilm-o-hikmat wala hai

[Surah an-Nisa: 11]



ASHAAB-UL-FARAAIZ KE HISAS AUR UN KI SHARAAYET –WAALIDAIN KA HISSA

Baap:

Sudus: Jab mayyat ki aulaad (beta beti, pota poti) maujood ho, (agar mu'annas aulaad ho tou baap farzi hissa lenay ke ilawa asabi bhi hoga)

Maa:

Sudus: Jab mayyat ki aulaad ho ya aik (1) se zyada behan bhai hon

Thuluth: Mayyat ki aulaad na ho, aik (1) se zyada behan bhai na hon, masla umriya na ho

Thuluth-al-baaqi: Jab do (2) umri maslon se koi (ya'ani wursaa: shauhar, maa aur baap...biwi, maa aur baap) ho



MAA BAAP KI MAUJOODGI MAIN AGAR MAYYAT KI AULAAD NA HO TOU KON KON MEHROOM REHTA HAI?

Mayyat ki ye aulaad mardon main na ho: **beta, pota**

Mayyat ki ye aulaad aurton main na ho: **beti, poti**

Mayyat ki maa ki maujoodgi main **nani, dadi** waaris nahi hotein

Mayyat ke baap ki maujoodgi main **dada [jadd-e-sahih], mo'taq, mo'taqah, aur saray hawashi [haqeeqi bhai, allaati bhai, ikhyaafi bhai, haqeeqi bhateeja, allaati bhateeja, haqeeqi chacha, allaati chacha, haqeeqi chachazaad, allaati chachazaad, haqeeqi behan, allaati beha, ikhyaafi behan]** waaris nahi hain



ASHAAB-UL-FARAAIZ KE HISAS AUR UN KI SHARAAYET –WAALIDAIN KA HISSA

Jadd (dada):

Baap ya qareebi jadd ki maujoodgi main jadd-e-mehroom, baap na ho tou jadd baap ke qayem maqam (siwaye chand masayel ke)

Jadda (nani, dadi):

Sudus: Maa ya qareebi darjay ki jadda na ho, baap ya qareebi darjay ka jadd (jo waasta ban raha ho) bhi na ho (ghayr Hanabilah)

Duhri rishtay wali jadda ko **sudus ke do (2) hissay** diye jayengay

Jadda 1: Nani aur dada (ya dadi) ki maa

Jadda 2: daadi (ya dada) ki maa



ASHAAB-UL-FARAAIZ KE HISAS AUR UN KI SHARAAAYET – SHAU HAR BIWI KA HISSA

Shauhar:

Nisf: Jab mayyat (faut shuda biwi) ki aulaad na ho

Ruba’: Jab mayyat ki aulaad ho (isi shauhar se ho ya kisi aur se)

Biwi, biwiyān:

Ruba’: Jab mayyat (faut shuda shauhar) ki aulaad na ho

Thaman: Jab mayyat ki aulaad ho (khuwa kisi aur biwi se ho)