

عالمية
دكتور حافظ انس نصر





ASABA KI IQSAAM AUR EHKAAM

MODULE 9



ASHAAB-UL-FARAAIZ

Ashaab-ul-faraaiz: Wo wursaa jin ke hissay kitaab-o-sunnat main muqarrar kar diye gaye hain (in main kami-o-beshi nahi ho sakti)

Tadaad: Ye kul baara (12) hain, mardon main se chaar (4) aur aurton main se aath (8)

Qur'an-o-sunnat main muqarra hissay:

Pehla set

1- Nisf ($\frac{1}{2}$)

2- Ruba' ($\frac{1}{4}$)

3- Thaman ($\frac{1}{8}$)

Doosra set

4- Thuluthaan ($\frac{2}{3}$)

5- Thuluth ($\frac{1}{3}$)

6- Sudus ($\frac{1}{6}$)



MARD WURSAA

1. Beta (A)
2. Pota (A) (furoo' main har wo mard hai jis main aur mayyat main aurat ka waasta na ho wo pota hai)
3. Baap (F+A)
4. Dada (jadd-e-sahih) (F+A) (usool main har wo mard jis main aur mayyat main aurat ka waasta na ho)



MARD WURSAA

5. Haqeeqi bhai (A) (mayyat ka maa baap shareek bhai)
6. Allaati bhai (A) (mayyat ka baap shareek bhai)
7. Ikhyaafi bhai (F) (mayyat ka maa shareek bhai)
8. Haqeeqi bhateerja (A) (mayyat ke haqeeqi bhai ki nareena aulad neechay tak jab tak aurat ka waasta na aaye tou wo haqeeqi bhateerja ha)
9. Allaati bhateerja (A) (mayyat ke allaati bhai ki nareena aulad neechay tak jab tak aurat ka waasta na aaye tou wo allaati bhateerja ha)



MARD WURSAA

10. Haqeeqi chacha (A) (mayyat ke baap dada (ooper tak jab tak aurat ka waasta na aaye) ka haqeeqi bhai)

11. Allaati chacha (A) (mayyat ke baap dada (ooper tak jab tak aurat ka waasta na aaye) ka allaati bhai)

12. Haqeeqi chachazaad (A) (mayyat ke baap dada (ooper tak) ke haqeeqi bhai ki nareena aulaad neechay tak jab tak aurat ka waasta na aaye)

13. Allaati chachazaad (A) (mayyat ke baap dada (ooper tak) ke allaati bhai ki nareena aulaad neechay tak jab tak aurat ka waasta na aaye)

14. Shauhar (F)

15. Mo'taq (A)



MU'ANNAS WURSAA

1. Beti (F,A)
2. Poti (F,A) (furoo' main har wo aurat jis main aur mayyat main aurat ka waasta na ho wo poti hai)
3. Maa (F)
4. Nani, Dadi (jadda-e-sahihah) (F) (usool main har wo mard jis main aur mayyat main jadd-e-faasid ka waasta na ho)



MU'ANNAS WURSAA

5. Haqeeqi behan (F,A) (mayyat ki maa baap shareek behan)
6. Allaati behan (F,A) (mayyat ki baap shareek behan)
7. Ikhyaafi behan (F,A) (mayyat ki maa shareek behan)
8. Biwi (F)
9. Mo'taqah (A)



NISF (1/2) HISSA LENAY WALAY WURSAA

1. Shauhar
2. Beti
3. Poti
4. Haqeeqi behan
5. Allaati behan



RUB'A (1/4) HISSA LENAY WALAY WURSAA

1. Shauhar
2. Biwi/biwiyan

THAMAN (1/8) HISSA LENAY WALAY WURSAA

1. Biwi/biwiyan



THULUTHAAN HISSA LENAY WALAY WURSAA

1. Betiyan
2. Potiyan
3. Haqeeqi behnain
4. Allaati behnain



THULUTH HISSA LENAY WALAY WURSAA

1. Maa
2. Ikhyaafi behan bhai [agar zyada hon]



SUDUS HISSA LENAY WALAY WURSAA

1. Baap
2. Maa
3. Jadd-e-sahih
4. Jadda
5. Poti/potiyān
6. Ikhyaafi behan bhai
7. Allaati behan bhai



ASABA KI TAREEF

Wo wursaa jin ka hissa kitaab-o-sunnat main maujood tou hai, muqarra nahi: maslan

Baap ﴿فَإِنْ لَمْ يَكُنْ لَهُ وَلَدٌ وَوَرِثَهُ أَبَوَاهُ فَلِأُمِّهِ الثُّلُثُ﴾

Bhai ﴿وَهُوَ يَرِثُهَا إِنْ لَمْ يَكُنْ لَهَا وَلَدٌ﴾



ASABA KI IQSAAM

Asaba-e-nasbi: Wo asaba jo nasab se bantay hain

Asaba binnafs: Wo mard jin main aur mayyat main aurat ka waasta na ho

(Beta, pota, baap, dada, bhai, allaati bhai, bhateeja, allaati bhateeja, chacha, allaati chacha, chachazaad, allaati chachazaad)

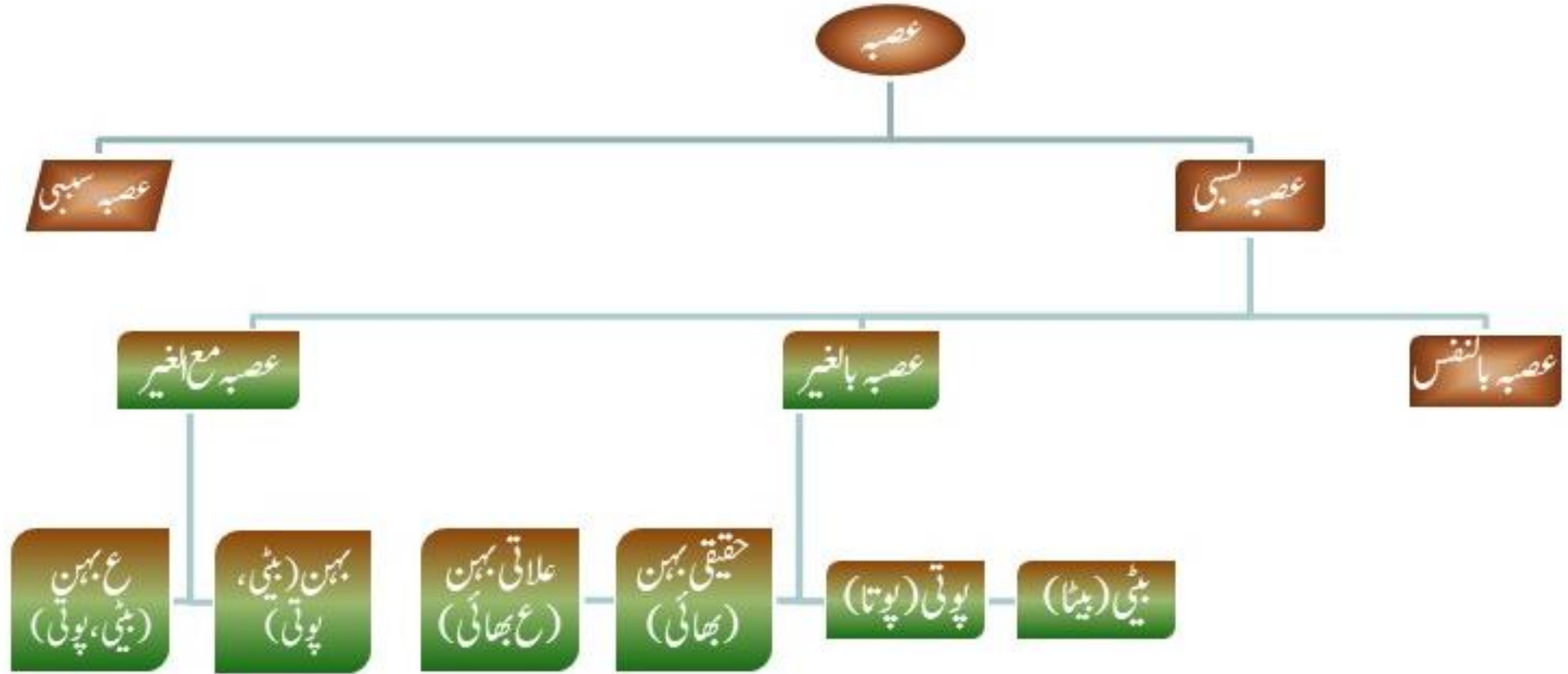
Isi tarteeb se ye asaba bantay hain

Asaba bil ghayr: Beti (beta), poti (pota), haqeeqi behan (bhai), allaati behan (allaati bhai)

((لِلذَّكَرِ مِثْلُ حَظِّ الْأُنثِيَيْنِ (القرآن))

Asaba ma'al ghayr: Behan (beti, poti), allaati behan (beti, poti)

Asaba sababi: Mo'taq, mo'taqa aur un ke asaba binnafs





Lilbinti-n ni'sfu, walinnati-l ibni-s sudusu tukmilatan
lithuluthaini, famaa baqiya falilukhti (Bukhari)

لِلْبِنْتِ النَّصْفُ، وَلِابْنَةِ الْإِبْنِ السُّدُسُ تَكْمِلَةً لِلثُّلُثَيْنِ، فَمَا بَقِيَ فَلِلْأُخْتِ (الْبُخَارِي)

Beti ko aadha (1/2) milay ga, poti ko chhata (1/6) milay ga, is tarah do
tihaai (2/3) पूरी ho jayegi aur phir jo baaqi bachay ga wo behan ko
milay ga



Al'hiqu-l farai'da biahliha fama baqiya falilaula rajulin

'zakarín (al-Bukhari: 6737)

أَلْحِقُوا الْفَرَائِضَ بِأَهْلِهَا فَمَا بَقِيَ فَلِأَوْلَىٰ رَجُلٍ ذَكَرَ (البخارى: 6737)

Miraas us ke haqdaar tak pohancha ho aur jo baaqi reh jaye wo
sab se qareeb walay mard ko de do



ASABA KE EHKAAAM

1. Agar wursaa main ashaab-ul-faraaiz aur asaba donon maujood hon aur ashaab-ul-faraaiz ka un ka farzi hissa denay ke baad kuch bach jaye tou wo saara asaba ko de dia jayega maslan (shauhar, beti, beta, pota), (beti, bhai, bhateeja)
2. Agar ashaab-ul-faraaiz ko un ka hissa denay ke baad baaqi kuch na bachay tou asaba ko kuch na milay ga.
maslan (shauhar, behan, bhateeja), (behan, allaati behan, ikhyaafi behan, ikhyaafi bhai, chacha)
3. Agar ashaab-ul-faraaiz maujood na hon tou asaba kul maal ke waaris hongay (baap ya bhai ya beta)