

عالمية  
دكتور حافظ انس نصر





ASABA BIL GHAYR (MASLA-E-  
TASHBEEB) AUR MA'AL GHAYR KI  
WAZAAHAT AUR MISALAIN

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MODULE 10



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

'zakar in (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 KI TAREEF

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

**Baap** ﴿فَإِنْ لَّمْ يَكُنْ لَهُ وَلَدٌ وَوَرِثَهُ أَبُوَاهُ فَلِأُمَّهِ الثُّلُثُ﴾

**Bhai** ﴿وَهُوَ يَرِثُهَا إِنْ لَّمْ 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)

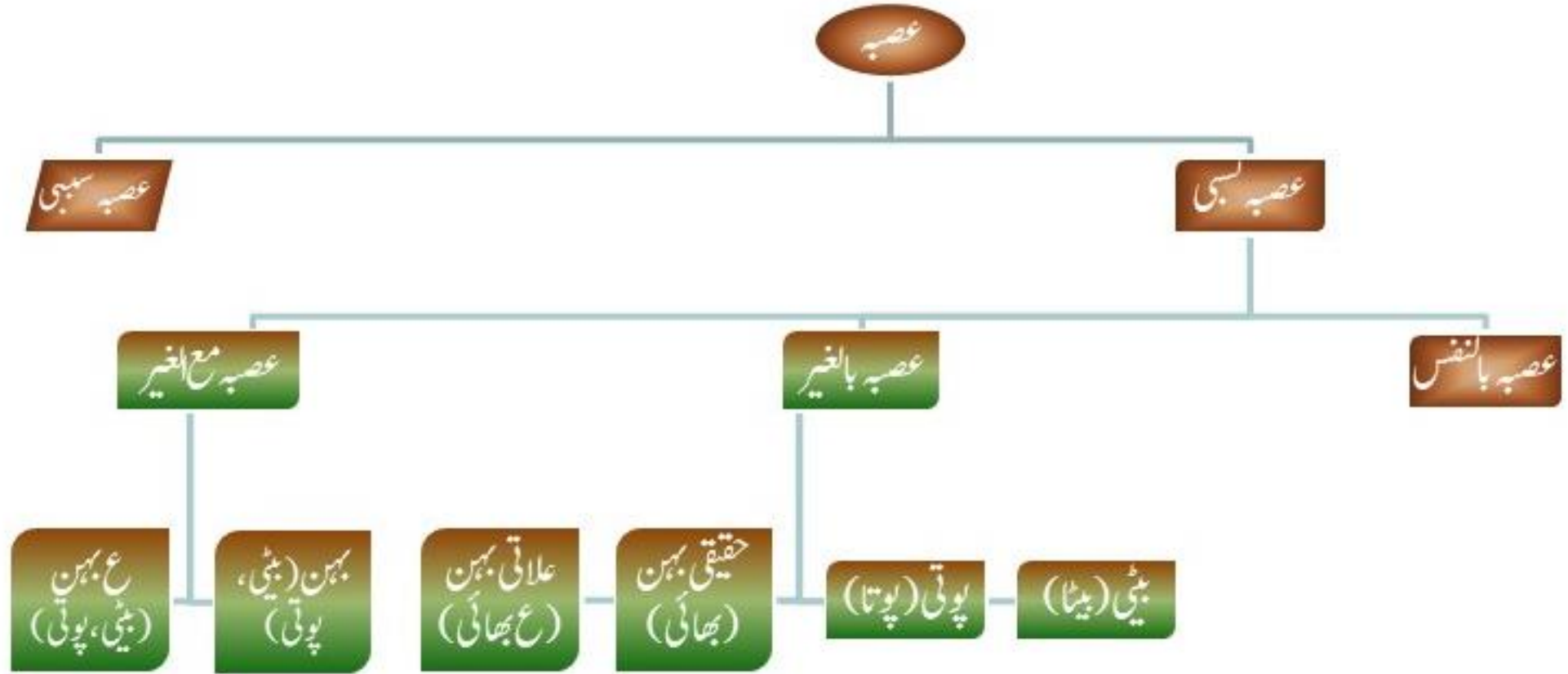
Isi tarteeb se ye asaba bantay hain

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

((لِلذَّكَرِ مِثْلُ مَثَلِ الْأُنثِيَّيْنِ (القرآن))

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

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





# 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)



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

لِلْبِنْتِ النَّصْفُ، وَلَا بِنَةَ الْإِبْنِ السُّدُسُ تَكْمِلَةٌ 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





# ASABA BIL GHAYR KI MISALAIN

(beti,beta), (2 potiyan, pota), (poti, parhpota), (beta, poti), (beta, poti, pota), (beti, 2 potiyan), (beti, poti, potiyan), (beti, poti, parhpoti), (2 betiyan, poti, pota), (beti, 2 potiyan, parhpota), (2 betiyan, poti, parhpota), (beti, poti, parhpoti, parhpotay ka beta), (beti, poti, parhpoti, parhpotay ki beti, parhpotay ka beta) (potiyon ki mazed wazaahat aglay page par)

(behan, bhai), (allaati behan, 2 allaati bhai), (behan, allaati bhai), (bhai, allaati behan), (behan, 2 allaati behnain), (2 behnain, allaati behan), (behan, allaati behan, allati bhai), (2 behnain, allaati behan, allaati bhai)



# POTA POTI KI HAALATAIN

1. Agar pota ooper darjay ka ho tou wo neechay darjay ki potiyon ko mehroom kar de ga.  
(jaisay **pota, parhpoti**)
2. Agar pota aur poti aik (1) darjay ke hon tou pota barabar ki poti ko laazman asaba banaye ga. (maslan **pota, poti** ya **parhpota, parhpoti**)
3. Agar pota neechay darjay ka ho tou ooper darjay ki potiyon ko sirf farzi hissa na milnay ki soorat main asaba banaye ha, agar wo farzi hissa le rahi hai tou asaba nahi banaye ga. (maslan **2 betiyan, poti, parhpota**)



# ASABA MA'AL GHAYR KI MISALAIN

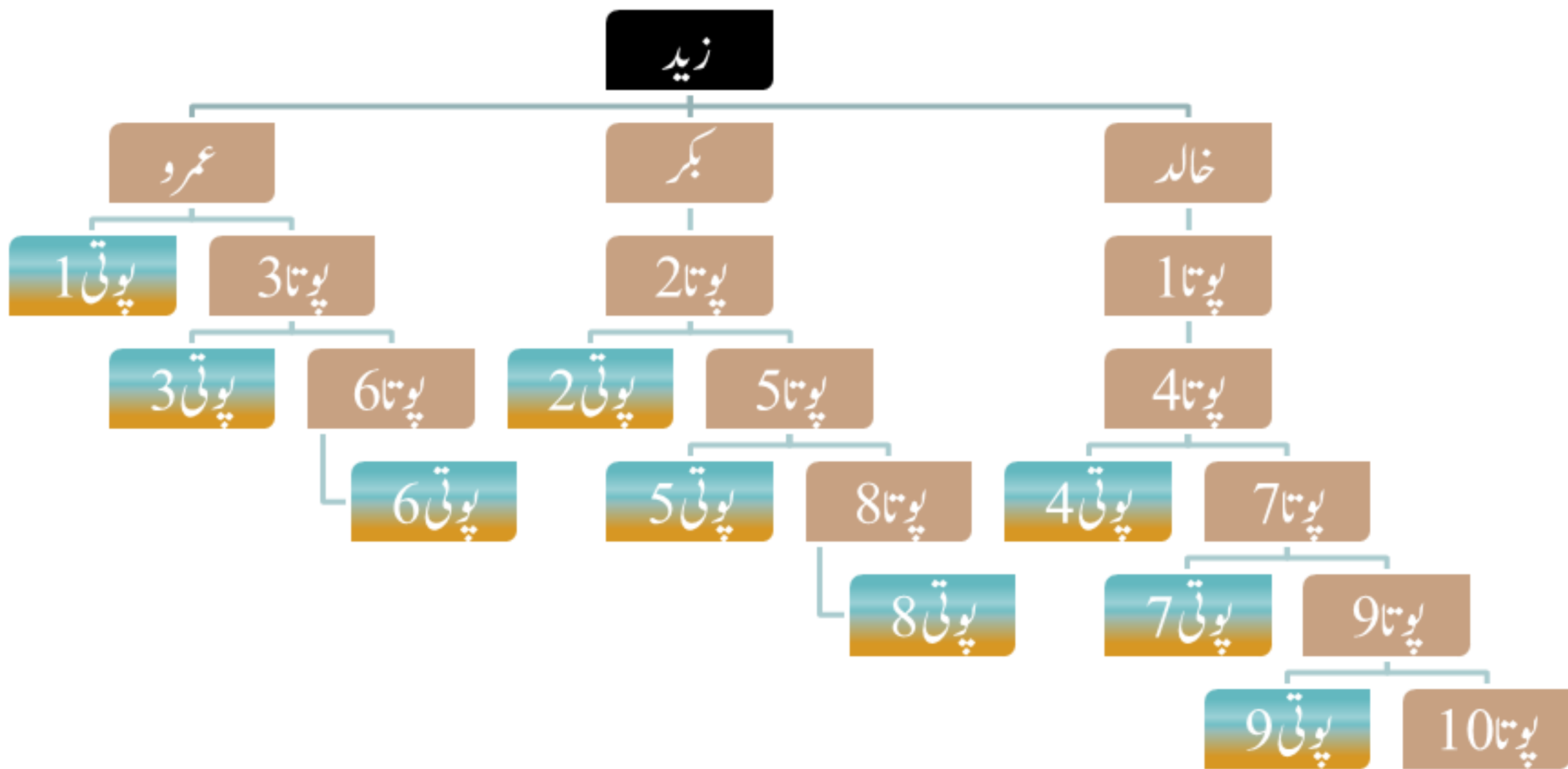
(beti, behan), (poti, allaati bhai), (behan, allaati behan), (parhpoti, allaati behan), (2 betiyan, behan, allaati behan), (3 potiyan, 2 behnain, allaati bhai), (beti, poti, behan, allaati behan), (2 betiyan, poti, behan), (pota, behan)



# MASLA-E-TASHBEEB

Shabeeb ka ma'ani '**roshan karna**' hai, chunke is maslay se potiyan ke hissay ki khoob wazaahat hoti hai lihaaza isay '**tashbeeb**' kaha jata hai.

Zayd ke teen (3) betay 'Amr, Bakr, aur Khalid hain. Zayd faut hua tou us ki waaris sirf naw (9) potiyan zinda hain: teen (3) 'Amr se, teen (3) Bakr se, aur teen (3) Khalid se. lekin ye potiyan aik (1) darjay main nahi hain, neechay maujood naqsha dekhain:





- ❖ Is misaal main poti number 1 'nisf' (1/2) le gi, aur poti 2 aur 3 'thuluthaan' mukammal karnay ke liye 'sodus' (1/6) main barabar shareef hongy, jabke baaqi chhay (6) potiyon ko kuch nahi milay ga kyun ke 'do tihaai' (2/3) ooper mukammal ho chuka hai aur aulaad aur behnon main sirf aurtain khuwah wo kitni zyada hon 'thuluthaan' se zyada nahi le saktein
- ❖ Agar un chhay (6) potiyon main se kisi ke barabar ya neechay daray main koi pota zinda ho tou wo apnay darjay ki tamaam aur ooper darkay ki un potiyon ko – jinhon ne farzi hissa nahi lia asaba bilghayr bana de ga aur baaqi aik tihaai (1/3) un ke mabayn bamutabiq **لِلذَكَرِ مِثْلُ حَظِّ الْأُنثَىٰ** taqseem hoga. Maslan agar pota number 7 zinda ho tou poti 4 ta 6 asaba bilghayr hongy aur neechay ki potiyan mehroom – aur agar pota number 10 zinda ho tou wo tamaam potiyon (4 ta 9 number) ko asaba bilghayr bana de ga.