

# RULES OF DISTRIBUTION

## RULES OF DISTRIBUTION AMONG QURANIC SHARERS & RESIDUARIES

### 1. Father

His share is  $\frac{1}{6}$  where there is a child or a child of a son how low so ever. Where there is no child or child of a son how low so ever the father inherits as a residuary.

### 2. True Grandfather

His share is  $\frac{1}{6}$  when there is child or child of a son how-low-so ever and no father or nearer true grandfather. When there is no child or child of a son how-low so ever he inherits as a residuary, provided there is no father or nearer true grandfather.

### 3. Husband

His share is  $\frac{1}{4}$ , when there is a child or a child of a Son how- low- so ever,  $\frac{1}{2}$  when no child of a son how low- so ever.

### 4. Wife

$\frac{1}{8}$  when there is a child or child of a son how low- so ever;  $\frac{1}{4}$  when no child or child of a son how-low-so ever.

### 5. Mother

- (a)  $\frac{1}{6}$  when there is a child, or child of a son how-low-so ever; or
- (b) when there are two or more brothers or sisters, or even one brother and one sister, whether full, consanguine or uterine.

$\frac{1}{3}$  when no child or child of a son how-low-saver and not more than one brother or sister if any; but if there is also wife or husband and the father, then only  $\frac{1}{3}$  of what remains after deducting the wife's or husband's share.

### 6. True Grand-mother

(A) Maternal -  $\frac{1}{6}$  when no mother and no nearer true grand mother either paternal or maternal.

(B) Paternal -  $\frac{1}{6}$  when no mother, no father, no nearer true grandmother either paternal or maternal and no intermediate true grandfather.

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### 7. Daughter

1/2 when there is only one and there is no son. When there are two or more daughters, they take 2/3-collectively if there is no son. With the son the daughter becomes a residuary.

### 8. Son's daughter how-low-so ever

1/2 when one, 2/3 when two or more, collectively. These shares are guaranteed only when there is no

- (1) Son,
- (2) Daughter
- (3) Higher son's son
- (4) Higher son's daughter,
- (5) Equal son's son.

When there is only one daughter, or higher son's daughter but no

- (1) Son,
- (2) Higher son's son
- (3) Equal son's son,

the daughter or higher son's daughter will take 1/2 and the son's daughter how-low-so ever whether one or more will take 1/6 i.e.  $[2/3-1/2]$ . With an equal son's son she becomes a residuary.

#### (i) Son's daughter

1/2 when one and 2/3 when two or more collectively, provided that there is no son, daughter or son's son. When there is only one daughter, the son's daughter (whether -one or more) will take 1/6, if there be son or son's son. With son's son she becomes a residuary.

#### ii) Son's Son's daughter

1/2 when one and 2/3 when two or more collectively, provided that there is no

- (1) Son,
- (2) Daughter,
- (3) Son's son,
- (4) Son's daughter
- (5) Son's son's son.

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When there is only one daughter, or son's daughter the son's son's daughter (whether one or more) will take  $1/6$  if there be no

- (1) Son,
- (2) Son's son, or
- (3) Son's son's son.

With the son's son, she becomes a residuary.

### **9-10. Uterine brother or sister**

$1/6$  when one and  $1/3$  when two or more collectively, when there is no

- (1) Child,
- (2) Child of a son how-low-so ever,
- (3) Father, or
- (4) True grandfather.

### **11. Full sister**

$1/2$  when one and  $2/3$  when two or more collectively provided that there is no

- (1) Child
- (2) Child of a son how-low-so ever,
- (3) Father,
- (4) True grandfather, or
- (5) Full brother; with the full brother she becomes a residuary.

### **12. Consanguine sister**

$1/2$  when one and  $2/3$  when two or more collectively when there is no

- (1) Child,
- (2) Child of a son how-low-so ever
- (3) Father or
- (4) True grandfather,
- (5) Full brother,
- (6) Full sister, or
- (7) Consanguine brother.

But if there is only one full sister and she succeeds as a sharer, the consanguine sister (whether one or more) will take  $1/6$ , provided she is not otherwise excluded from inheritance. With the consanguine brother, she becomes a residuary.