

Question 766) - A man sold someone else's possession, without his authorisation. What is the ruling?

A: The owner can either confirm or rescind the sale. He may confirm the sale as long as the four parts of the sale exist - the buyer, the seller, the possession and the owner. If the owner dies before confirmation of the sale is rescinded and the heirs cannot confirm it. When the sale is rescinded the buyer must seek restitution from the seller not the owner.

~ al-Quduri ~