

Question 2244) - The partners request that the judge arrange for their house or property to be partitioned. They claim that they jointly inherited it. Will the judge order the partition just on their word or must he demand evidence?

A: According to Imaam Abu Hanifah RAH. he will not divide it until they produce evidence of the death and the amount of heirs. According to Imaam Abu Yusuf RAH. and Imaam Muhammed RAH. their word is accepted. This is in regards land. As regards other joint wealth, all agree that their word that they inherited it will be accepted.

~ al-Quduri ~