

Question 2246) - Two heirs present evidence to the judge concerning the death and amount of heirs. They have the house in their hands and request a partition. There is however another absent heir. Will the judge agree to the partition based on the request of the present heirs?

A: Yes, he will appoint an agent to take possession of the share of the absent heir. This is if it is a jointly inherited house. If they bought it, it may not be partitioned in the absence of any partner, even if the others present Proof of Purchase.

~ al-Quduri ~