

Question 1258) - If a man compromised on behalf of another without his authorisation, who is liable for payment?

A:? There are four scenarios:

1. He compromised with money and took liability for the money. 2. He said, "I compromise with you for 2000/this slave." In these two scenarios the compromise is concluded and the amount becomes obligatory upon him. 3. He says to him, "I have compromised with you upon 1000," and gives it to him. The compromise is complete in this case as well. If he paid to settle the claim against a third party he cannot claim the money back from the third party. 4. He says to him, "I compromise with you upon 1000 without liability of it," and does not attribute it to himself, nor that the rendering will be done by him. This compromise is suspended until the defendant confirms it, in which case the 1000 becomes obligatory upon him. If he does not validate it, the compromise is void.

~ al-Quduri ~