

Question 753) - The buyer has khiyarush shart and has the goods. A defect develops. What is the ruling?

A: If the defect is irreversible e.g. a slave loses his hand; then it is as a perished good. The buyer must pay the price they had agreed upon. If it is reversible then he maintains khiyarush Shart for the period. once the period passes the buyer can no longer return the goods. He is now liable for the agreed upon price even if the defect remained.

~ al-Quduri ~