

Question 805) - Is Iqalah a cancellation of sale or a new sale?

A: It is a cancellation with regards the original parties and a new transaction with regards the rights of third parties. This is according to Imaam Abu Hanifa RAH.*

* e.g. A man had a right to buy a property first. He allowed it to be sold to someone else. The sale was then rescinded. The man again has a claim on the "new" sale.

~ al-Quduri ~