

Question 1251) - The defendant gave up in a compromise of silence or denial. It is discovered that a third party is entitled to the disputed item. What does the plaintiff do?

A: He will return what the defendant gave him and continue the case with the new claimant. If his claim is established in part of the disputed item, then he will have returned that proportion from whatever the defendant had given in exchange. He will continue the remainder of the dispute with the new claimant.

~ al-Quduri ~