

Question 1252) - A man claimed a right in a house but did not specify the right. The defendant gave him a substitute as compromise on the claim. Someone then claims part of the house. Will the original plaintiff return what the defendant gave him?

A: No, he need not return anything.*

* Because it is possible that his claim is in the part of the house which the new claimant does not dispute. The matter is different if he is entitled to the entire house. [al-Jawharah]

~ al-Quduri ~