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Q: 158 ? Title: 1) my mum re-married a few months before she passed away, her husband was very neglectful in his duties towards her..2) Some relatives planted flowers on my mums kabar, is this correct?

Question

AsSalaammualaikum respected Mufti & ulama

Firstly may Alaah reward all of you for this noble effort of deen,

1.my mum re-married?a few months before she passed away, her husband was very neglectful in his duties towards her, after a death she left behind a house,?we are only two sons and her husband. regarding the inheritance i?told my step-father that we must sit down and speak of it, he then asked what was the inheritance,? i purposely?never mention? the house since we are living in it and he said we should give it (he's inherittance furniture etc) in the path of Allah, What do i do now? was it wrong what i said?

2. Some relatives planted flowers on my mums kabar, is this correct? I read that a green ?branch is only permissable, please advise

JazakAllah

Answer

In the name of Allah, Most Gracious, Most Merciful

Assalaamu `alaykum waRahmatullahi Wabarakatoh

1. According to Shariah, your step father is entitled to a portion of your mother's estate. It is therefore necessary to inform him that the house falls part of the estate and hence he has a right in the house. However, if after informing him of his right, he agrees to forfeit his right in favour of you and your brother, it will be permissible for you to accept it.

2. It is established from the Ahaadith that Nabi (Sallallaahu Alayhi Wasallam) placed two branches of a date palm tree on two graves and thereafter said that as long as these branches don't dry up, the punishment of the Qabr of these people will be lightened. This was the Barkat (blessings) of the hands of Rasulullah (Sallallaahu Alayhi Wasallam) and his speciality. If this action was general for all people, then the Sahaaba (Radhiallaahu Anhum) would have definitely done the same because they were fervent followers of Nabi (Sallallaahu Alayhi Wasallam) and did everything Rasulullah (Sallallaahu Alayhi Wasallam) did. In order, to understand Nabi (Sallallaahu Alayhi Wasallam), we have to look at the actions of the Sahaaba (Radhiallaahu Anhum). Their actions are an explanation of the sayings and actions of Rasulullah (Sallallaahu Alayhi Wasallam). Sahaaba-e-Kiraam never did this. Also, nowadays so much of emphasis has been placed on this action and is regarded as a necessary which result in there being no doubt about it being a Bid'at (innovation). The custom of placing flowers is a Bid'at (innovation) and is not established from the Shari'ah. (Ahsanul Fataawa vol.1 pg.374)

And Allah knows best

Wassalam

Darul Iftaa, Madrassah In'aamiyyah

my mum re-married a few months before she passed away, her husband was very neglectful in his duties