

Q: 39 – Title: A family member had passed away recently and I had inherited a sum of money which makes me reliable for zakaat. However, this wealth is attached to properties and businesses which the deceased has left behind...

Question

A family member had passed away recently and I had inherited a sum of money which makes me reliable for zakaat. However, this wealth is attached to properties and businesses which the deceased has left behind. Therefore I have not been paid my share as yet (that means I am currently not the owner of nisaab). If I am not been given my share before Eid ul adha, is qurbaani waajib on me? Do I have to still make Qurbaani?

Please note that I am not the owner of nisaab - it is only once i am given my share, then i will be the owner of nisaab.

Answer

In the name of Allah, Most Gracious, Most Merciful

Assalaamu `alaykum waRahmatullahi Wabarakatoh

If you do not have possession of your share of inheritance, there is no zakat on that amount.

Maraqi al-Falah ma' Hashiya al-Tahtawi p.715 Dar al-Kutub al-Ilmiyya

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If you do not own the *nisab* of zakat on the day of *qurbani*, then *qurbani* is not obligatory upon you. However, in calculating the *nisab* of *qurbani*, all wealth including household items that are not necessities will be taken into consideration. The elapsing of one year on the wealth is also not a prerequisite. After the deduction of debts, if the amount of wealth equals to *nisab*, *qurbani* will be obligatory.

Fatawa Mehmoodia (9/616) Jamia Farooqia

Majma' al-Anhur

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And Allah knows best

Wassalam

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**MI. Ehzaz Ajmeri,
Student Darul Iftaa**

Checked and Approved by:

**Mufti Ebrahim Desai
Darul Iftaa, Madrassah In'aamiyyah**