

Question 1826) - The Mukatob pays his due on the set dates, and then a date arrives where he is unable to pay. Will the court declare him unable to pay?

A: According to Imaam Abu Hanifah RAH.\* if the slave has debts which he must pay or wealth advanced to him then there should not be haste in declaring him unable to transact. He should be given two or three days' respite. If thereafter he cannot present any valid excuse the owner may demand that he be incapacitated and the Kitabah annutled by the court. According to Imaam Abu Yusuf RAH. he will not be incapacitated until he misses two dates.

\* And Imaam Muhammad RAH. [al-Hidayah]

~ al-Quduri ~