

# FARAJ

**Procedure of determination of share amongst the successors in accordance with Law of Succession (Hanafi), when a Muslim (male) dies intestate.**

## A- When wife is alive

<b>(a) Wife /wives alive ( without any issue)</b>						
Brother	Wife	Sister	Brother	Wife	Wife	Sister
$\frac{1}{2}$	$\frac{1}{4}$	$\frac{1}{4}$	$\frac{1}{2}$	$\frac{1}{8}$	$\frac{1}{8}$	$\frac{1}{4}$
.5000	.2500	.2500	.5000	.1250	.1250	.2500

Wife	Wife	Wife
1	$\frac{1}{2}$	$\frac{1}{2}$
1.0000	.5000	.5000

Generally share of the wife (wives) will not be more than one- fourth of the total share. But when the intestate dies leaving no residuary, then entire share will devolve on the wife/ wives.

### (b) when sons also alive

One son		Two sons			Two wives and two sons			
Wife	son	Wife	son	son	Wife	Wife	son	son
$\frac{1}{8}$	$\frac{7}{8}$	$\frac{1}{8}$	$\frac{7}{16}$	$\frac{7}{16}$	$\frac{1}{16}$	$\frac{1}{16}$	$\frac{7}{16}$	$\frac{7}{16}$
.1250	.8750	.1250	.4375	.4375	.0625	.0625	.4375	.4375

### (c) wife , son , daughter alive

Wife one son		one daughter		Wife two son			one daughter
Wife	Son	Daughter	Wife	Son	Son	Daughter	
$\frac{1}{8}$							
.1250	.5834	.2916	.1250	.3500	.3500	.1750	

Wife, son, son, daughter, daughter	Wife, son	son	daughter	daughter
.1250	.2917	.2917	.1458	.1458

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### (d) when only daughter (s) surviving

Wife , one daughter				Wife , two daughter				
Brother	Wife	Sister	Daughter	Brother	Wife	Sister	Daughter	Daughter
.2500	.1250	.1250	.5000	.1389	.1250	.0695	.3333	.3333

#### Without any residuary

Wife, one daughter		Wife , two daughters		
Wife	Daughter	Wife	Daughter	daughter
.1250	.8750	.1250	.4375	.4375



## C- when Father is alive

(a) When son(s) also alive						
Father	son			Father	son	son
.1667	.8333			.1666	.4167	.4167
(b) son & daughter alive						
Father	Mother	son	daughter	In presence of children father gets 1/6. In absence of children father gets a share as residuary.		
.1667	.1667	.4444	.2222			
(c) when only daughter is surviving						
Father	Daughter		Father	Mother	Daughter	Daughter
.5000	.5000		.1667	.1667	.3333	.3333
In presence of only one daughter, daughter gets 1/2 (as Quranic heir) & father gets 1/6 as Quranic heir & 1/3 as residuary (total 1/2)						

(e) when husband is alive			(f) when wife is alive		
Husband	Mother	Father	Wife	Mother	Father
.5000	.1666	.3334	.2500	.2500	.5000

## D-Son or Sons & Daughter or Daughters alive

(a) when only son is alive			
Son		Son	Son
1.0000		.3333	.3334

(b) Mother, wife, son, daughter non -existing		
Brother	Sister	In absence of brother & sister nearest distant relatives will step in. This type of case will be very rare. If necessary faraj prepared by Maulavi may be consulted.
.6667	.3333	

(c) when sons & daughters are alive						
Son	Daughter		Son	Son	Daughter	Daughter
.6667	.3333		.3333	.3333	.1667	.1667
(c) when sons & daughters are alive						
Son	Son	Daughter		Son	Daughter	Daughter
.4000	.4000	.2000		.5000	.2500	.2500

(d) when only daughter(s) alive							
Brother	Sister		Brother	Sister		Daughter	Daughter
.3333	.1667		.2223	.1111		1.0000	.5000
							.5000
Daughter			Daughter	Daughter			
.5000			.3333	.3333			

## E-Mother & Wife alive

(a) only son(s) surviving				(b) dies without issue			
Mother		Mother		Mother		Mother	
.1667		.1667		.1667		.3333	
Wife		Wife		Wife		Wife	
.1250		.1250		.2500		.2500	
Son		Son	Son	Brother	Sister	+	
.7083		.3541	.3542	.3889	.1944		

† The residue .4167 share will devolve in near relatives in absence of which the share will go to mother.

(C) son(s) & daughter(s) also alive								
Mother			Mother			Mother		
.1667			.1667			.1667		
Wife			Wife			Wife		
.1250			.1250			.1250		
Son	daughter	Son	Son	Daughter	Daughter	Son	Son	Daughter
.4722	.2361	.2361	.2361	.1180	.1181	.2833	.2833	.1417
Mother								
.1667								
Wife								
.1250								
Son	Daughter	Daughter						
.3541	.1771	.1771						

(d) when daughter is surviving									
Mother			Mother			Mother		Mother	
.1667			.1667			.2188		.2188	
Brother	Wife	sister	Brother	Wife	sister	Wife		Wife	
.1389	.1250	.0694	.0278	.1250	.0139	.1250		.1250	
Daughter			Daughter		Daughter		Daughter		daughter
.5000			.3333		.3333		.6562		.3281
									.3281

### Notes on A & B.

1. Every son will double share of every daughter.
2. When son of the deceased is alive, brother & sister will not come in the order of succession.

### Notes on C

1. When a person dies intestate leaving mother, wife & daughter, the residue share will be devolve on his brother & sister. The brother will get double share of that of sister. If he had no sister, the entire residue share will devolve on the brother.
2. In cases where there is no residuary i.e. no brother or sister, the residuary share will be added to the share of mother & daughter in the same proportion as 'their original shares'. The wife is not entitled to any portion of the residual share.
3. When only one daughter is surviving she is entitled to half of the entire share of the deceased. When the number of daughters is more than one, two- third share of the deceased will be equally divided amongst them.

### Notes on D.

- (1) If any person dies intestate leaving no son or daughter and his mother and wife were not alive, his estate will devolve on his brother(s) & sister(s). The shares will be distributed in the same manner as shown in notes A, B, C for sons or daughter.
- (2) If the deceased person without any issue, had no brother and sister, his wife will get only one- fourth of total share of the deceased, the remaining share will be divided amongst residuaries of preferential side.