

Inheritance Rules

Issue No. 1- There are three groups of persons who inherit from a dead person on the basis of relationship:

(i) The first group consists of the dead person's parents and children, and in the absence of children, the grand children, however, low, and among them whoever is nearer to the dead person inherits his property. And as long as even a single person from this group is present, people belonging to the second group do not inherit.

(ii) The second group consists of grandfather, grandmother and sisters, brother, and in the absence of sisters and brothers their children, whoever from among them is nearer to the dead person, will inherit from him. And as long as even one person from this group is present, people belonging to the third group do not inherit.

(iii) The third group consists of uncles and aunts, however up they go and their descendants, however, low they go. Of course, whoever from among them is nearer to the dead person, will inherit from him. And as long as even one person from the uncles and aunts of the dead person is alive, their children do not inherit, and as long as their children are alive, the children of their children will not inherit.

First Group

Issue No. 2- If out of the first group, there is only one heir of the deceased (for example, father or mother or only one son or only one daughter) he/she inherits the entire estate. And if

there are either more than one son or more than one daughter, the estate will be divided among them equally. However, if there are both sons and daughters, then, the estate is divided among them in such a way that each son gets twice the share of each daughter.

Issue No. 3- If the father and the mother of deceased are his only heirs the estate is divided into 3 parts, out of which 2 parts are taken by the father and one by the mother. If, the deceased has two brothers or four sisters, or one brother and two sisters, the mother gets $\frac{1}{6}$ of the estate, and the rest is inherited by the father.

Issue No. 4- If only the father, the mother and one daughter are the heirs of deceased, the estate will be divided into 6 parts, out of which the father and the mother take one share each, and 3 shares are taken by the daughter, and the remaining 1 part should be divided between them in the same proportion, unless the deceased has two brothers or four sisters or one brother and two sisters (from the same father), in this case, the estate will be divided into six parts. Father and mother will take one part each, and three parts will be taken by the daughter, and the remaining one part should be divided into 4 parts, out of which the daughter takes 3 parts and the father will take the remaining 1 part.

Issue No. 5- If the heirs of the deceased are his father, mother and one son only, the property is divided into six parts, from which one is taken by the father and one by the mother, and 4 by the son. And if the deceased has several sons or several daughters, they divide the said 4 parts equally among them. If however, he has several sons and

daughters, the 4 shares are divided among them in such a way that each son gets double the share of each daughter.

Issue No. 6- If the heirs of the deceased are his father and one son only, or his mother and one son only, the property is divided into six parts, from which one part goes to the father or mother, and 5 parts to the son.

Issue No. 7- If the heir of the deceased is either his father or mother or is one son and one daughter, the property is divided into six parts, out of which one goes to either father or mother, and the remaining 5 parts is divided in such a way that each son gets double the share of each daughter.

Issue No. 8- If the heirs of the deceased are his father and one daughter only, or his mother and one daughter only, the property is divided into four parts, one part goes to either the father or the mother, and the remaining 3 parts go to the daughter.

Issue No. 9- If the heirs of the deceased are his father and several daughters only, or his mother and several daughters only, then $\frac{2}{3}$ of the property should be taken by the daughters to be divided between them equally, and $\frac{1}{6}$ of the property will be taken by the father or the mother, and the rest of property should be divided in the same proportion.

Issue No. 10- If the deceased has no children, his son's child (though it may be a girl) gets the share of the deceased person's son, and the child of his daughter (though it may be a boy) gets the share of the daughter of the deceased.

Second Group

Issue No. 11- The second group of persons that inherits on the basis of relationship, consists of grandfather and grandmother, brothers and sisters and if the dead person does not have brothers and sisters, their children inherit the estate. This group will inherit only if there does not exist anyone from the first group.

Issue No. 12- If the heir of deceased is only one brother, or only one sister, he or she inherits the entire estate, and if he has several brothers alone or several sisters alone, they divide the property equally among themselves. However, if he has several brothers and some sisters together, each brother gets double the share of each sister.

Issue No. 13- If a deceased has real brothers and real sisters, his half brothers and sisters (whose mother is the stepmother of the deceased) do not inherit his property. And if he has no real brothers or real sisters, and has only one paternal half brother, or only one paternal half sister, he or she inherits the entire estate, and if he has several paternal half brothers alone or several paternal half sisters alone, they divide the property equally among themselves. However, if he has several paternal half brothers and some paternal half sisters together, each brother gets double the share of each sister.

Issue No. 14- If the heir of deceased is one maternal half sister, or one maternal half brother, their father being different from the father of the deceased, he or she inherits the entire estate, and if he has several maternal brothers

alone, or several maternal sisters alone, or both of them together, the estate is divided equally among them.

Issue No. 15- If the dead person has real brothers and sisters, together with half brothers and sisters from father's side, and one half brother or one half sister from mother's side, the paternal brothers and sisters do not inherit. In this case, the estate is divided into six parts, from which one part is given to the maternal brother or sister, and the remaining 5 parts will be given to real brothers and sisters, and every brother will get double the share of every sister. However, if he has more than one maternal brother or sister, the estate is divided into three parts, one part of it will be divided equally between the maternal brother and sister, and the remaining two parts will be given to real brothers and sisters, in which case every brother will get double the share of every sister.

Issue No. 16- If the only heirs of deceased are his paternal brothers and sisters, and one maternal brother or one maternal sister, the estate will be divided into six parts. One part will be given to the maternal brother or the maternal sister, and the remaining parts will be divided among the paternal brothers and sisters, in such a manner that every brother gets double the share of every sister.

Issue No. 17- If the only heirs of deceased are his paternal brothers and sisters, and two or several maternal brothers and sisters, the estate will be divided into three parts. One part will be shared among the maternal brothers and sisters equally, and the remaining two parts will be divided among

the paternal brothers and sisters, in such a manner that every brother gets double the share of every sister.

Issue No. 18- If the brother, the sister, and the wife of deceased are his only heirs, the wife gets her inheritance in the manner which will be explained later, and the sister and brother get their inheritance as stated in the foregoing rules.

Issue No. 19- If deceased does not have sister and brother, their share of the inheritance is given to their descendants, in the same proportion.

Issue No. 20- If the heir of the deceased is only one grandfather or one grandmother, the entire estate goes to them, and the great grandfather of the deceased does not inherit in the presence of the grandfather.

Issue No. 21- If the heir of the deceased is only the paternal grandfather and grandmother, the estate is divided into three parts, from which two parts will be taken by the grandfather and one part will be taken by the grandmother. And if the maternal grandfather and maternal grandmother are the heirs, the estate will be divided between them equally.

Issue No. 22- If the heir of the deceased is only one paternal grandfather or one paternal grandmother, and only one maternal grandfather or one maternal grandmother, the estate is divided into three parts, from which two parts will be taken by the paternal grandfather or grandmother and one part will be the share of the maternal grandfather or grandmother.

Issue No. 23- If the heirs of the deceased are paternal grandparents, together with maternal grandparents, the estate will be divided into three parts. One part will be divided equally between the maternal grandfather and the maternal grandmother, and the remaining two parts will go to the paternal grandfather and paternal grandmother, from which the paternal grandfather gets twice the share of the paternal grandmother.

Issue No. 24- If the only heirs of a deceased are the wife or the husband together with the paternal grandparents, and the maternal grandparents, the wife or the husband will get inheritance in the manner which will be explained later. And one of the three parts of the original estate will be given to the maternal grandparents to divide it equally between them, and the remaining parts will be given to the paternal grandparents, and the paternal grandfather gets twice as much as the paternal grandmother.

Issue No. 25- If the heirs of deceased are either the maternal grandfather or maternal grandmother, or both, i.e. the maternal grandparents together with the maternal brothers, the maternal grandfather will be treated like one brother and the maternal grandmother like a sister, and the estate is divided equally between them. However, if the heirs are paternal grandfather and grandmother or parental grandparents together with paternal brothers or real brothers, the grandfather will be treated as a brother and the grandmother as a sister, and the estate will be divided between them in such a manner that the man will get twice as much as the woman.

Third Group

Issue No. 26- The third group of the heirs consists of uncle and aunt, and their children. If none of the persons belonging to the first and second group is present, then the third group will inherit.

Issue No. 27- If the heir is only one paternal uncle or paternal aunt, he or she inherits the entire estate. And if there are several paternal uncles and several paternal aunts, the paternal uncles will get twice the share of the paternal aunts.

Issue No. 28- If the heirs of the deceased are several paternal uncles or several paternal aunts, the estate will be divided equally.

Issue No. 29- If the heirs of the deceased are his /her paternal uncles and paternal aunts, some of whom are the real brothers and sisters of his/her father, while others are paternal or maternal half brothers and sisters of his/her father, those who are paternal half brothers and sisters will not inherit anything. And if the deceased is also survived by one paternal uncle or one paternal aunt, who are the maternal half brother and half sister of his/her father, the estate will be divided into six parts, from which one part will be taken by the paternal uncle or paternal aunt of the deceased, and the remaining will be taken by the full real paternal uncles and paternal aunts of the deceased (the share of the uncle is twice the share of the aunt). And if the deceased has several paternal uncles and paternal aunts of the same mother, but different fathers (for example, two

uncles or two aunts, or one uncle and one aunt from the same mother, but different fathers), the estate will be divided into three parts, out of which two parts will be given to the paternal uncle and paternal aunt from the same father and mother (as usual, the male twice as much as the female), and one part will be given to the paternal uncle and paternal aunt from the same mother, but different fathers.

Issue No. 30- If a deceased has only one maternal uncle or one maternal aunt, he or she inherits the entire estate. And if he/she has a maternal uncle as well as a maternal aunt, the estate should be divided among them equally.

Issue No. 31- If the heirs of the deceased are only one maternal uncle, or one maternal aunt from mother's side together with parental maternal uncle and maternal aunt, maternal uncle and maternal aunt from father's side, the maternal uncle and maternal aunt from father's side will not inherit, and the estate will be divided into six parts, one part will go to maternal uncle and maternal aunt from mother's side, and the remaining parts will go to parental maternal uncle and paternal maternal aunt who will divide it among themselves equally.

Issue No. 32- If the heirs of the deceased are only maternal uncle and maternal aunt from father's side together with maternal uncle and maternal aunt from mother's side and maternal uncle and maternal aunt from parental side, the maternal uncle and maternal aunt from father's side will not inherit, and the estate should be divided into three parts, one part will be divided equally between the maternal uncle and maternal aunt from mother's side and the remaining parts

will go to maternal uncle and maternal aunt from parental side who will divide it among themselves equally.

Issue No. 33- If the heirs of the deceased are one maternal uncle or one maternal aunt and one paternal uncle or one paternal aunt, the estate will be divided into three parts, one share goes to maternal uncle or maternal aunt, and two shares go to paternal uncle or paternal aunt.

Issue No. 34- If the heirs of the deceased are one maternal uncle or one maternal aunt together with one paternal uncle and one paternal aunt, if the paternal uncle and paternal aunt are either parental or from father's side, the estate will be divided into three parts, one part will go to maternal uncle or maternal aunt and out of the remaining parts, two parts will be given to the paternal uncle and one part to the paternal aunt. Hence, if the estate is divided into nine equal shares, three shares will go to maternal uncle or maternal aunt, and four shares to the paternal uncle and two shares to the paternal aunt.

Issue No. 35- If the heirs of the deceased are one maternal uncle or one maternal aunt together with one paternal uncle or one paternal aunt from mother's side, and paternal uncle and paternal aunt from parental side or from father's side, the estate should be divided into three parts, one part is given to maternal uncle or maternal aunt, and the remaining two parts will be divided into six shares, one share is given to the paternal uncle from the mother's side, and five share are given to the paternal uncles and paternal aunts from the parents' side or from father's side. Paternal uncles inherit twice the share of the paternal aunts.

Issue No. 36- If the heirs of the deceased are one maternal uncle or one maternal aunt together with one paternal uncle and one paternal aunt from mother's side, and paternal uncle and paternal aunt from parental side or from father's side, the estate is divided into three parts, one part will go to maternal uncle or maternal aunt, and the remaining two parts will be divided into three shares, one share goes to paternal uncle and paternal aunt from mother's side, and two shares will be divided between paternal uncle and paternal aunt from either the parents' side or from the father side. Paternal uncles inherit twice the share of the paternal aunts.

Issue No. 37- If the heirs of the deceased are several maternal uncles maternal aunts who are all from parents' side, or from father's side or from mother's side, together with paternal uncles and aunts, the estate will be divided into three equal shares, two shares will be divided by the paternal uncles and aunts among themselves in accordance with the rule stated in the previous issue, and one share will be divided equally by the maternal uncles and aunts among themselves.

Issue No. 38- If the heirs of the deceased are the maternal uncle and maternal aunt from the mother's side together with several maternal uncles and maternal aunts from the same parents or from the same father only and some paternal uncles and paternal aunts, the estate is divided into three shares, two shares will be divided between paternal uncle and paternal aunt in the manner which was explained before, and the remaining one share, if the deceased has one maternal uncle or aunt from the mother's side, then it will be divided into six parts, one part will be given to

maternal uncle or maternal aunt from the mother's side, and the remaining parts will be given to maternal uncle or aunt from the same parents or from the same father, and they will divide it among themselves equally. And if the deceased has several maternal uncles from the mother's side, or several maternal aunts from the mother's side or both, then that remaining one share will be divided into three parts, one part will be divided equally among maternal uncles and aunts from the mother's side, and the rest will go to maternal uncle and aunt from the same parents or from the same father who will also divide it equally among themselves.

Issue No. 39- If the deceased has no paternal or maternal uncles or aunts the share of the paternal uncles and aunts will go to their children, and the share of maternal uncles and aunts will also go to their children.

Inheritance by the Husband and the Wife

Issue No. 40- If one's permanent wife dies and has no children, the husband inherits half of her estate, and the remaining half is given to her other heirs. If she has children, her husband will get 1/4th of the estate, and the remaining part will be inherited by her other heirs.

Issue No. 41- If a man dies and has no children, his permanent wife inherits 1/4th of his estate, and the remaining part will be given to other heirs. And if he has children, the wife gets 1/8th of the estate, and the remaining part will be inherited by his other heirs.

Issue No. 42- A wife who has one or several children from her husband, inherits from all her husband's movable

properties and from the land and its proceeds (whether it is the land of a house or a garden or a farm, etc.). But if she does not have any child from her husband, she inherits from all her husband's movable properties and garden and lands, except the land of his house and its building and the price of house's land. But she inherits from the price of building of her husband's house and its trees.
