

**Ahkam al Quran – Mufti Abdul Shakoor Tarmizi, A refelection on its methodology:**

There are many explanatory ways of Holy Quran. One of them is extraction of judgments from the verses of Holy Quran. In this series, a great book is composed by five scholars in the supervision of Molana Ashraf Ali Thanvi which name is Ahkam ul Quran. The second part of Holy Quran is composed by Mufti Abdul Shakoor Tirmizi. He also composed the seventh part elucidationally. This part has some typical qualities (1) to extract the evidences about Fiqa Hanafi a (2) to extract the judgments about creed, act of devotion, transaction, social relation and moral. There are also discussed particularly about those problems and suspicion which have created by the effect ion of eastern civilization .

**Urdu Translation of The Holy Quran and Linguistic Evolution**

Urdu is a widely spoken language that is communicated, not only in Subcontinent but also in a vast ranged part of the world. Urdu took a long time to get the present stage. This is the combination of so many languages i.e. Arabic, Persian, Hindi and Turkish.

This thesis would cover the Urdu translations of the Holy Quran. It has been noted that with the evolution of this language the translation also got many changes, A lot of words and idioms have been given up. There are new terms. Translators began to give meanings instead of strictly transmitted with the language. They took care of the mass culture and their interests, in this sense the translation of Quran in Urdu language is very interesting. This translation process does not get a stoppage but continues with the development of the said language.

In this thesis here would be a comparison of related selected examples of translations instead of some particular translations.

**A critical analysis of traditions regarding the legitimacy and illegitimacy of writing of Traditions:**

46. Radd-ul-Mukhtar 5/645 – 48
47. a) Al-Muhadhdhab fi Fiqh Madhhab al-Imam Al-Shafi'i 1/449 – 55  
b) Al-Qawaneen al-Fiqhia 410 – 425
48. a) Al-Fatawa al-Alamgiriyyah 6/140  
b) Radd-ul-Mukhtar 5/661 – 70  
c) Al-Muhadhdhab fi Fiqh Madhhab al-Imam Al-Shafi'i 1/450 – 55  
d) Al-Qawaneen al-Fiqhia 410 – 420
49. a) Al-Fatawa al-Alamgiriyyah 6/148  
b) Radd-ul-Mukhtar 5/660 – 80
50. Shara'i al-Islam fi Masa'il al-Halal wa-al-Haram 2/244 – 50
51. Bidayat al-Mujtahid wa-Nihayat al-Muqtasid 2/334 – 342.
52. Radd-ul-Mukhtar 6/661 – 75
53. PLD 1956 Lahore 787
54. a) Al-Fatawa al-Alamgiriyyah 5/663  
b) Radd-ul-Mukhtar 5/661 – 75
55. Shara'i al-Islam fi Masa'il al-Halal wa-al-Haram 2/253 – 55
56. a) Badai'i al-Sana'i fi Tartib al-Shara'i 7/335 – 345  
b) Tabyin al-Haqa'iq: Sharh Kanz al-Daqa'iq 6/185 – 88
57. Radd-ul-Mukhtar 5/645 – 48
58. a) Al-Fatawa al-Alamgiriyyah 6/140  
b) Radd-ul-Mukhtar 5/661 – 70  
c) Al-Muhadhdhab fi Fiqh Madhhab al-Imam Al-Shafi'i 1/450 – 55  
d) Al-Qawaneen al-Fiqhia 410 – 420
59. a) Nasb-ur-Raya 4/402 – 405  
b) Nail-ul-Utaar 4/40
60. PD 1997-SC-220
61. a) Al-Fatawa al-Alamgiriyyah 6/140  
b) Radd-ul-Mukhtar 5/661 – 70  
c) Al-Muhadhdhab fi Fiqh Madhhab al-Imam Al-Shafi'i 1/450 – 55  
d) Al-Qawaneen al-Fiqhia 410 – 420
62. a) (1989) C.L.C. 2028  
b) 1990 – ILJ 237
63. Shara'i al-Islam fi Masa'il al-Halal wa-al-Haram 2/253 – 55
64. PLD 1997 SC-220

24. Al-Hedaya 4/494
25. Bidayat al-Mujtahid wa-Nihayat al-Muqtasid 2/368 – 70
26. a) Al-Muhadhdhab fi Fiqh Madhhab al-Imam Al-Shafi'i 1/449 – 555
- b) Mughni al-Muhtaj ila Maani Alfaz al-Minhaj 3/39 – 45
- c) Shara'i al-Islam fi Masa'il al-Halal wa-al-Haram 2/244 – 250
- d) Wasail al-Shiyyah 6/141, Dar Ihya al-Turath al-Arabi, Beirut,
- Lebanon
27. Al-Fatawa al-Alamgiriyyah 6/166
28. Radd-ul-Mukhtar 5/445 – 60
29. a) Al-Muhadhdhab fi Fiqh Madhhab al-Imam Al-Shafi'i 1/450 – 55
- b) Mughni al-Muhtaj ila Maani Alfaz al-Minhaj 3/39 – 45
30. Majority Act 1875 Section 3 Contract Act 1872 Section 10 – 11
31. a) Al-Fatawa al-Alamgiriyyah 6/537
- b) Al-Mugni fi Fiqh Imam al-Sunnah Ahmad ibn Hanbal al-Shaybani, 6/25 – 35
- c) Al-Qawaneen al-Fiqhia 410 – 420.
32. a) Al-Muhadhdhab fi Fiqh Madhhab al-Imam Al-Shafi'i 1/449 – 557
- b) Al-Iqna fi Hall Alfaz 2/55 – 60
33. a) Al-Qawaneen al-Fiqhia 405 – 420.
- b) Badai'i al-Sana'i fi Tartib al-Shara'i 7/324 – 330
- c) Al-Fatawa al-Alamgiriyyah 6/160 – 165
34. Al-Hedaya 4/537 – 40
35. Radd-ul-Mukhtar 5/643 – 45
36. Tabyin al-Haqa'iq: Sharh Kanz al-Daqa'iq 6/185 – 90
37. Shara'i al-Islam fi Masa'il al-Halal wa-al-Haram 2/244 – 250
38. Al-Fatawa al-Alamgiriyyah 6/141
39. Radd-ul-Mukhtar 5/643 – 45
40. a) Shara'i al-Islam fi Masa'il al-Halal wa-al-Haram 2/244 – 250
- b) Wasail al-Shiyyah 6/141 – 145
- c) Tahreer ul Wasillah 2/88 – 90 by Imam al-Khomini
41. (1898) I.L.R 20 All.91
42. a) Radd-ul-Mukhtar 5/459 – 61
- b) Al-Qawaneen al-Fiqhia 405 – 420
- c) Al-Muhadhdhab fi Fiqh Madhhab al-Imam Al-Shafi'i 1/44 – 56
- d) Al-Mugni fi Fiqh Imam al-Sunnah Ahmad ibn Hanbal al-Shaybani, 6/30 – 35
- e) Badai'i al-Sana'i fi Tartib al-Shara'i 7/335 – 345
43. Al-Fatawa al-Alamgiriyyah 5/663
44. Shara'i al-Islam fi Masa'il al-Halal wa-al-Haram 2/253
45. a) Al-Qawaneen al-Fiqhia 405 – 420
- b) Al-Muhadhdhab fi Fiqh Madhhab al-Imam Al-Shafi'i 1/445 – 50
- c) Badai'i al-Sana'i fi Tartib al-Shara'i 7/320 – 335

9. a) Al-Fatawa al-Alamgiriyyah 6/160 – 165 by a Commission of Sultan Muhiy al-Din Awrangzeb Alamgir (req. 1069-1118/1659-1707), Bulaq, Egypt, 1310.
- b) Al-Qawaneen al-Fiqhia 405 – 413.
10. a) Al-Iqna fi Hall Alfaz 2/57 – 65
- b) Al-Muhadhdhab fi Fiqh Madhhab al-Imam Al-Shafi'i 1/445 – 50
- c) Mughni al-Muhtaj ila Maani Alfaz al-Minhaj 3/35 – 45 by Sharikat wa-Matba'al Mustafa al-Babi al-Halabi, 1993.
11. Al-Mugni fi Fiqh Imam al-Sunnah Ahmad ibn Hanbal al-Shaybani, 6/23 – 30
- 11(A) a) Radd-ul-Mukhtar 5/457 – 60
- b) Badai'i al-Sana'i fi Tartib al-Shara'i 7/330 – 345
12. a) Tabyin al-Haqa'iq: Sharh Kanz al-Daqa'iq 6/185 by Zayla'i, Fakhr al-Din Uthman ibn Ali ibn Mihjan al-Bari'i (d. 743/1342) Al-Tabah 1 Bulaq: al-Matbaah al-Kubra al-Amiriyah, (1313 – 1315), Egypt.
- b) Radd-ul-Mukhtar 5/455 – 60
- c) Al-Fatawa al-Alamgiriyyah 6/160 – 165
13. a) Mughni al-Muhtaj ila Maani Alfaz al-Minhaj 3/35 – 50
- b) Al-Muhadhdhab fi Fiqh Madhhab al-Imam Al-Shafi'i 1/445 – 50
14. Al-Mughni fi Fiqh Imam al-Sunnah Ahmad ibn Hanbal al-Shaybani, 6/25 – 30
15. a) Badai'i al-Sana'i fi Tartib al-Shara'i 7/333
- b) Radd-ul-Mukhtar 5/465
16. a) Al-Mughni fi Fiqh Imam al-Sunnah Ahmad ibn Hanbal al-Shaybani, 6/23 – 30
- b) Mughni al-Muhtaj ila Maani Alfaz al-Minhaj 3/54
17. a) Masnad Ahmad 2/290
- b) Muslim-Kitab ul-Khiraj wal Amarah
- c) Abu Daud Kitab ul-Khiraj wal Amarah
18. 1987 C.L.C 7
19. 1988 ILJ 144
20. 1988 ILJ 144
21. a) Tabyin al-Haqa'iq: Sharh Kanz al-Daqa'iq 6/185
- b) Badai'i al-Sana'i fi Tartib al-Shara'i 7/324 – 340
- c) Radd-ul-Mukhtar 5/459 – 462
- d) Al Sharh al-Saghir 4/580 by Muhammad Ali-Subayh 1382 – 85/1962 – 65 (d.1241/1825) Dar-al-Maarif, Cairo.
- e) Al-Qawaneen al-Fiqhia 405 – 415.
- f) Mughni al-Muhtaj ila Maani Alfaz al-Minhaj 3/39 – 45
22. Al-Fatawa al-Alamgiriyyah 6/162 – 165
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3. a) Al-Hedaya 3/233 by Abi al-Hussain Ali Bin Abi Bakr Bin Abdul Jalil al-Farghani  
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5. a) Al-Qawaneen al-Fiqhia 2/334-68 by Ibn al-Juzairi, Dar-ul-Kutab al-Ilmiyyah, Beirut, Lebanon.  
b) Bidayat al-Mujtahid wa-Nihayat al-Muqtasid 2/57-60 by Ibn Rushd (Averroes), Imam al-Qazi Abu al-Walid Muhammad ibn Ahmad ibn Muhammad (al-Hafid – the grandson) (d.594/1198), Maktabah Mustafa al-Babi al-Halabi, Egypt, 1981.
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b) Al-Qawaneen al-Fiqhia 405 – 415.  
c) Bidayat al-Mujtahid wa-Nihayat al-Muqtasid 2/328 – 340.  
d) Al-Mugni fi Fiqh Imam al-Sunnah Ahmad ibn Hanbal al-Shaybani, 6/22 – 35 by Ibn Qudamah al-Maqdisi, Muwaffaq al-Din Abu Muhammad Abd Allah ibn Ahmad ibn Muhammad (d.620/1223), al-Matbaah al-Salafiyah, Cairo, 1962.  
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b) Bidayat al-Mujtahid wa-Nihayat al-Muqtasid 2/334 – 340.  
c) Radd-ul-Mukhtar 5/457 – 460.  
d) Al-Qawaneen al-Fiqhia 405 – 415.
8. a) Badai'i al-Sana'i fi Tartib al-Shara'i 7/333 – 340  
b) Al-Hedaya 3/233 – 240  
c) Radd-ul-Mukhtar 5/457 – 465.

- d) A will can also be made in rights of Easements which can be capable of transfer e.g. right of way, right of water, light etc. and there is consensus of the jurists on this issue(58)
- e) Although the Quran does not impose any restriction on the extent of the disposition of the property, however, there is complete unanimity of jurists both Sunni and Shia that a will can only be made to the extent of one third of the total property belonging to the testator and this limitation is based on the address made by the Messenger of Allah at the time of Hajjah-tul-Wadah which states as follows:

.....  
"O people, verily Allah has specified the shares of each heirs in the property of the deceased, it is not permissible to make a will in favour of heirs nor should it exceed to one third(59).

The law also recognizes this position of Shariah(60)

A will can however, be made beyond one third of the total property to legatee with the consent of all legal heirs and there is consensus of jurists(61) on this issue. The law recognizes this point of Shariah as it has been held in the cases cited below that a will to an heir beyond one third of the property is not valid except with the consent of all other heirs(62). However, under the Shia law(63) a testator can make a will in favour of legatee even without the consent of other heirs only to the extent of one third but when it exceeds one third it is not valid without their consent and on this issue the law(64) favours the Shia views.