

The of hindu law, viz.,
son's birth right



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The twin doctrines of the Mitakshara school of Hindu law, viz.

, son's birth right and survivorship, are also not recognised in Muslim law.

Since under Muslim law, all properties devolve by succession, the right of heir-apparent does not come into existence till the death of the ancestor.

Succession opens only on the death of the deceased, and then alone the property vests in the heirs. Whenever a female inherits property, she takes her share absolutely and without any restrictions. The Muslim law of inheritance is a unique aspect of Muslim law.

It is a different system of law. Prophet Mohammed said: " Learn the laws of inheritance and teach them to the people; for they are one-half of useful knowledge". About the Muslim law of inheritance, Tayabji observed: " The Muslim law of inheritance has always been admired for its completeness as well as the success with which it has achieved the ambitious aim of providing not merely for the selection of a single individual or a homogenous group of individuals, on whom the estate of the deceased should devolve by universal succession, but for adjusting the competitive claim of all the nearest relations".

Succession to the property of enunch:

It is the customary law which holds succession to the property of an enunch and not Muslim law.