

135906 - Inheritance of the paternal uncle and paternal aunt

the question

What is the share of inheritance of the paternal uncle and paternal aunt?

Detailed answer

The paternal uncle is a residuary heir. If anything is left over after the allocated shares have been distributed, and he is not blocked from inheriting [by someone more closely related to the deceased], he is given the remainder of the inheritance.

If he is the only heir, i.e., there is no other heir who is more closely related to the deceased, then he receives the entire estate.

The paternal uncle is blocked from inheriting if there is a son or son's son [grandson] of the deceased, or if there is his father or grandfather [father's father], or his full brother, or the son of a full brother, or a brother through the father, or the son of a brother through the father.

If someone dies and leaves behind only a paternal uncle, the paternal uncle receives the entire estate.

If he dies and leaves behind a wife, a daughter and a paternal uncle, then the wife receives one eighth, the daughter receives half, and the remainder goes to the paternal uncle.

If he dies and leaves behind a wife, a son and a paternal uncle, then the wife receives one eighth, and the remainder goes to the son. The paternal uncle does not receive anything, because he is blocked by the son.

With regard to the paternal aunt, she is one of the dhawaat al-arhaam (distant kindred), and there is a difference of scholarly opinion as to whether they (distant kindred) inherit. The more correct view is that they inherit if there are no heirs who are entitled to allocated shares, and no residuary heirs.

If someone dies and leaves behind a paternal aunt only, the paternal aunt receives the entire estate.

If he dies and leaves behind a wife, a daughter and a paternal aunt, then the wife receives one eighth, the daughter receives half, and the paternal aunt does not receive anything because there are heirs who are entitled to allocated shares. What remains of the estate goes to the daughter only.

Also the answers to questions no. [85495](#) and [130583](#).

And Allah knows best.