

265796 - They encroached on the public right of way and incorporated it into their house, and passers-by are not affected by that. What is the ruling?

the question

We built a house on land belonging to my maternal aunt, but we took 1.5 m of the road to build a yard for the house, and a fence for privacy. Please note that that does not affect passers-by, and we live in a country where lawlessness prevails.

Detailed answer

I put this question to our shaykh, ‘Abd ar-Rahman al-Barrak (may Allah, may He be exalted, preserve him), and he replied:

It is not permissible for you to do that, even if it does not constrict the road or affect passers-by, because the road is public property and belongs to everyone, so it is not permissible to transgress or encroach on it. End quote.

And Allah knows best.