

246731 - The mother's estate

the question

My mother died, and my grandmother was still alive at that time. Should she have inherited a share of my mother's estate, which included jewellery and furnishings? My mother sold her bridal jewellery when she first got married, to help my father in furnishing the house, and my father gave her part-ownership of the house, which was only to be made use of after he died, but she died first. Does my grandmother have any right to a share of her estate? Please note that she died four years after my mother.

Detailed answer

Your grandmother has a one-sixth share of her daughter's estate, because her daughter had offspring who inherited from her, namely you and your siblings, if you have siblings.

Allah, may He be exalted, says (interpretation of the meaning):

{And for one's parents, to each one of them is a sixth of his estate if he left children} [an-Nisa' 4:11].

Based on that, your grandmother inherits one sixth of the estate left by your mother, who died when she still owned that wealth, including property, money, furnishings, gold and other possessions.

With regard to what she gave as gifts or sold whilst she was still alive, that is not included in the estate; it belongs to the one to whom it was given or sold.

With regard to what her husband gave to her to make use of after he died, that is a bequest, and it is not included in the estate, because ownership does not move to the one to whom the bequest is made except after the death of the testator. We understand from your question that your mother died before your father, so this bequest was annulled.

Moreover, it is not permissible to make a bequest to an heir [one who inherits a prescribed share of the estate].

See also the answer to question no. [10447](#) .

And Allah knows best.