

Is it necessary for a Sahib-e-Tarteeb to Maintain Order between Wajib al-l'adah Salah as well?

Darulifta Ahlesunnat (Dawateislami)

Question

What do the noble scholars and jurists of Islamic law say about the following: Zaid is a Sahib-e-Tarteeb (one who has less than 6 qada' salat), and till now, he has not missed any salah. A few days ago, he made a mistake in 'Isha salah because of which the salah became wajib al-l'adah. But due to not knowing the ruling, he did not repeat the salah. The detail is that when offering the 'Isha salah alone, he forgetfully recited durood after tashahud in the first qa'da, and he didn't perform sajdah sahw afterwards either. From that day until now, he has been offering all his salat without repeating that 'Isha salah.

The question is, does Zaid have to repeat that 'Isha salah even after many days have passed? Also, because he is a Sahib-e-Tarteeb, will this wajib al-l'adah salah affect the other salat?

Answer

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
الْجَوَابُ بِعَوْنِ الْمَلِكِ الْوَهَّابِ اللَّهُمَّ هِدَايَةَ الْحَقِّ وَالصَّوَابِ

In the inquired situation, Zaid is still obligated to repeat the 'Isha salah, and he must repeat it as soon as possible. However, this wajib al-l'adah salah will not affect the salah that were performed after it within their prescribed times; they all will be regarded as valid.

The detail is that it is wajib to repeat the salah in which such a mistake occurred, rendering the salah Makruh Tahrimi and wajib al-l'adah, whether it is repeated within the time of salah or after the time has elapsed. This is the rajih (preferred) opinion, as Allamah Sayyid Ibn 'Abideen Shami عليه الرحمة has concluded in Minhah al-Khaliq and Radd al-Muhtar. A'la Hazrat Imam Ahmad Raza Khan عليه الرحمة has also issued the fatwa according to this in Fatawa Razawiyah. However, this wajib al-l'adah salah does not affect the other salah being offered within their time because the ruling that a sahib-e-tarteeb is not allowed to offer the salah of the current time while remembering that they have qada' salah is regarding those fard salah whose obligation is still due on the person, regardless of whether they are fard i'tiqadi or fard 'amali. As for wajib al-l'adah salah, their obligation has been fulfilled; repeating it only becomes necessary to fulfill the defect/shortcoming that was created due to being Makruh Tahrimi. Therefore, there is no issue if a sahib-e-tarteeb offered the salah of that time while remembering that they have wajib al-l'adah salah due on them. A'la Hazrat, the Imam of Ahl al-Sunnah, Imam Ahmad Raza Khan رحمة الله تعالى عليه has explicitly mentioned this in Jadd al-Mumtar.

A wajib al-l'adah salah remains wajib even after the time has elapsed; this is the rajih (preferred) opinion. Allamah Syed Ibn 'Abideen al-Shami عليه الرحمة states in Minhah al-Khaliq:

(فالحاصل أن من ترك واجبا من واجباتها أو ارتكب مكروها تحريما لزمه وجوبا أن يعيد في الوقت فإن خرج الوقت بلا إعادة أثم ولا يجب جبر التقصان بعد الوقت فلو فعل فهو أفضل) نقل الخير الرملي عن العلامة المقدسي أنه يجب أن لا يعتمد على هذا الماذكره قريبا من قولهم كل صلاة أدت مع الكراهة سبيلها الإعادة مطلقا. - ظاهر كلامهم يقتضي الوجوب خارج الوقت أيضا ويدل عليه ما قدمناه عن شرح التحرير (Minhah al-Khaliq 'Ala al-Bahr al-Ra'iq, Vol. 02, p. 87, Publ. Dar al-Kitab al-'Islami) Allamah Shami عليه الرحمة also writes in Radd al-Muhtar:

يكون المرجح وجوب الإعادة في الوقت وبعده، ويشير إليه ما قدمناه عن الميزان

(Radd al-Muhtar 'Ala al-Durr al-Mukhtar, Vol. 02, p. 65, Publ. Dar al-Fikr, Beirut) A'la Hazrat عليه الرحمة also issued a fatwa according to this opinion and presented Allamah Shami's عليه الرحمة texts as a reference. Thus, he states regarding if sajdah sahw becomes wajib in Jumu'ah salah and the congregation is not excessively large:

بس جہاں جمعہ بھی جماعت عظیم سے نہ ہوتا ہو بلاشبہ سجدہ کرے، اگر نہ کیا اعادہ کرے، اگر وقت نکل گیا ظہر پڑھ لیں۔ رد المحتار میں ہے: المرجح وجوب الاعادة في الوقت وبعده۔

Translation: Hence, whether the Jumu'ah congregation is not excessively large, one must perform sajdah. If they do not do so and the salah time elapses, they must offer Zuhr. It is stated in Radd al-Muhtar: The rajih (preferred) opinion is that it remains wajib to repeat the salah within the time and after the time. (Fatawa Razawiyah, Vol. 8, p. 180, Publ. Raza Foundation, Lahore) In wajib al-'i'adah salah, the obligation itself has been fulfilled. It is stated in Hashiyah al-Tahtawi 'Ala Maraq al-Falah:

وكذا الحكم في كل صلاة أدت مع كراهة التحريم والمختار أن المعادة لترك واجب نفل جابر والفرض سقط بالأولى لأن الفرض لا يتكرر (Hashiyah al-Tahtawi 'Ala Maraq al-Falah, Vol. 1, p. 248, Publ. Dar al-Kutub al-'Ilmiyah, Beirut, Lebanon)

Therefore, if a Sahib-e-Tarteeb offered the salah of the current time while remembering that he has wajib al-'i'adah salah due on him, there is no issue. Mentioning this, A'la Hazrat, the Imam of Ahl al-Sunnah, Imam Ahmad Raza Khan رحمه الله تعالى states in Jadd al-Mumtar:

تأخير الجابر لا يكون تأخير الأصل، ألا ترى أن من أدى صلاة الظهر مع كراهة التحريم ثم صلى العصر ذاكرا أن عليه الجبر لم يكن به بأس، فالله تعالى اعلم

(Jadd al-Mumtar 'Ala Radd al-Muhtar, Ta'leeq No. 2252, Vol. 04, p. 326, Publ. Dar al-Kutub al-'Ilmiyah, Beirut)

وَاللَّهُ أَعْلَمُ عَزَّ وَجَلَّ وَرَسُولُهُ أَعْلَمُ صَلَّى اللَّهُ تَعَالَى عَلَيْهِ وَآلِهِ وَسَلَّمَ

(Allah Almighty knows best and His Messenger صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ knows best.)

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