

Lowering The Price After A Sale Has Been Finalized

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I have sold my shop to Abdur Rehman for 9.1 million Rupees. He has given 3 million in cash whereas rest of the Payment i.e. 6.1 million was decided to be given within next three months. But, he could not make the payment and asked me to cancel the deal which I had declined. At that moment in time, Abdur Rehman started to look for a new buyer and asked me to do the same as well which I did. The maximum amount which was offered by a new buyer is 7.6 million. Now Abdur Rehman wants to sell this shop to him but, in order to cover his loss, he wants me to give him a concession of five hundred thousand rupees as well. Is it permissible for me to give him this concession from Shariah perspective?

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الجواب بعون الملك الوهاب اللهم هداية الحق والصواب

Even after a deal has been made, it is permissible for a seller to reduce the price and offer a discount to a buyer. He may even give the item for free as well. There is nothing wrong in it. So, in the asked scenario if you give a discount of five hundred thousand rupees to Abdur Rehman, it will

be permissible from Shariah perspective. In the above-mentioned situation, Abdur Rehman should take the shop in his possession and then he is free to sell it to anyone.

It is permissible for a seller to give a concession in price as it has been mentioned in the book Durrul Mukhtar ma Raddul Muhtar:

“(و) صح (الحط منه) ای من الثمن“

Translation: lowering of price from a seller is valid.

(Durrul Mukhtar ma Raddul Muhtar, Vol 05, Page 154, Beirut)

It has been mentioned in the book Al-Hidayah:

“ویجوز للبائع ان یزید للمشتري فی المبیع، ویجوز ان یحط عن الثمن“

Translation: It is allowed for a seller to add/increase something in the sold commodity and reduce the price.

(Al-Hidayah, Vol 03, Page 59, Lahore)

Ala Hazrat رحمۃ اللہ علیہ was asked in Fatawa Razaviyyah regarding a seller who, after a sale has been made, lowers the price withing the session of sale or even afterwards:

اگر ایک جائداد بیع کی جائے اور اسی مجلس خواہ دوسری مجلس میں بائع کا ثمن مشتری کو معاف

کر دے تو جائز ہے یا نہیں؟۔۔۔

Translation: if a property is sold and during the same session or later in another, the seller declares that he is giving the property free of charge to the buyer, will it be permissible?

Ala Hazrat رحمۃ اللہ علیہ answers the question as follows:

”بیشک جائز ہے کہ بائع کوئی چیز بیچے اور اس مجلس خواہ دوسری میں کل ٹمن یا بعض مشتری کو معاف

کردے اور اس معافی کے سبب وہ عقد عقد بیع ہی رہے گا اور اسی کے احکام اس پر جاری ہوں گے۔“

Translation: Without a doubt, it is permissible for a buyer to reduce the price or make it absolutely free anytime during the session of sale or later in another session. But, in spite of this concession, the contract will remain a sale-contract and relevant rulings will apply to it.

(Fatawa Razaviyya, Vol 17, Page 246, Raza Foundation)

واللہ اعلم عزوجل ورسوله اعلم صلی اللہ تعالیٰ علیہ وآلہ وسلم

Written by

Abu Muhammad Mufti Ali Asghar Attari Madani

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Translated by Maulana Abdul wajid madani