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Ahmad Hidayat Buang
The Implementation of Šulḥ involving Real Estate Claims of Muslims in Shariah Court in Malaysia: A Survey of Previous Studies

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ABSTRACT

Shariah Court’s jurisdiction in Malaysia is limited in resolving dispute in matters relating to Muslim personal and family law. When it comes to the decision and delivering judgment regarding Muslim’s real estate, most of it will be placed under the jurisdiction of Federal Court and Civil High Court. This article discusses issues related to the implementation of Šulḥ in the Shariah Court in Malaysia, especially in cases involving real estate claims of Muslims. This article will identify previous studies and related researches with regard to Šulḥ as one of the alternative disputes resolution (ADR) as an effective role to end the dispute and save the court’s time and fulfill the needs of the parties. Numbers of researches have been done regarding the implementation of Šulḥ, however only matter regarding Muslim family cases were covered.