

# **Comparative study contract sale with fluent price of view legal system Of iran and quintuple religious**

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**In legal system of Iran and according to the famous opinion of the Shiite and Sunni jurists, one of the conditions for accuracy of sales contract is that the price is specified at the time of contract conclusion, but in the modern law of the world, as well as internal common law of Iran, due to some expediencies, sales with fluent price, that is the price which has not been determined at the time of contract conclusion and the transaction parties would postpone the final determination thereof to the future, is one of the common and necessary transactions, that the economic expediencies deem it wise that the legal system of Iran would also recognize the sales with fluent price official, because being common legally as well as prevalence of contract with fluent price in the modern law of the world and also international business law and even in internal law such as (building presales contracts, petroleum contracts and sales with expertise price, etc.) is an undeniable truth in the society. In the present thesis, relying on Shiite jurisprudence, attempts have been made to justify the accuracy and explanation of the limits and conditions of the contract with fluent price, so that we would confirm the accuracy of such contracts through this way, therefore, it seems that a general rule can be understood regarding the accuracy of contracts in which the price is ambiguous for some reason but it could be determined in the future, in such a way that with another sense of the transactions rules, it can be understood that detailed knowledge towards the price of the contract is not the matter at the time of contract conclusion and what is important is to remove ignorance leading to uncommon loss in contract. Some infamous opinions are also found among the lawyers and jurists that are more applicable considering the today needs, and accordingly, in some cases failure to determination of the price at the time of contract or transferring its determination to another person will not cause any damage to the accuracy of the contract.**

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