

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

FAO(MAT) No. 01/2026

Batool Omais

....Petitioner/Appellant(s)

Through :- Mr. Zulkernain Sheikh, Advocate.

V/s

Omais Ul Mehraj.

....Respondent(s)

Through :- Mr. Mubashir Mushtaq, Advocate with
Mr. Nahiem Sheikh, Advocate.

CORAM: HON'BLE MR. JUSTICE RAJESH SEKHRI, JUDGE

ORDER
(20.01.2026)

01. The appellant is aggrieved of order dated 10.01.2026, passed by learned Additional Principal Judge, Family Court, Jammu [“the trial court”], in case titled “*Batool Omais vs. Omais Ul Mehraj*”, vide which an application for grant of interim maintenance preferred by the appellant came to be dismissed, primarily on the ground of non-application of mind, on various grounds urged in the memo of petition.

02. Mr. Mubashir Mushtaq, learned counsel for the respondent, has no objection to the remand of the present case to the trial court for consideration afresh, as per law. Statements of both the counsels are taken on record.

03. In view of consensus between learned counsels for the parties, the present appeal is allowed. As a result, impugned order is set-aside and matter is remanded to the trial court for considering the application for

interim maintenance, preferred by the appellant, afresh after affording a reasonable opportunity of being heard to both the sides, strictly as per the mandate of law.

04. Disposed of along with connected application(s).

(Rajesh Sekhri)
Judge

JAMMU
20.01.2026
Abinash

