

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.7605 OF 2019

Rohan Vijay Pendkar Petitioner

Vs.

Narayani Rohan Pendkar Respondent

Mr. Anvil S. Kalekar for Petitioner.

Coram : NITIN W. SAMBRE, J.

Date : 24th January, 2020

P.C.:

1. Perused the proceedings for dissolution of marriage initiated by the Petitioner pursuant to the provisions of Section 10 of the Hindu Marriage Act.

2. Issue of marriage is not in dispute, however, what is disputed is the circumstances under which the marriage took place. It is the case of the petitioner that he is not earning and is dependent on his parents. It is claimed that he is studying and has no independent source of income.

3. Once the factum of marriage is not in dispute, the presumption under Section 112 of the Evidence Act will weigh against the father and the husband.

4. In the aforesaid background, award of maintenance of Rs.3,000/- and Rs.2,000/- to wife and daughter is very much justified. No case is made out for interference.

5. The petition is dismissed.

(NITIN W. SAMBRE, J.)