HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

SECOND APPEAL No. - 180 of 2026

Man Mohan

.....Appellant(s)

Versus

Man Singh Yadav And Others

.....Respondent(s)

Counsel for Appellant(s) : Arunendra Nath Mishra
Counsel for Respondent(s) :

Court No. - 19

HON'BLE SYED QAMAR HASAN RIZVI, J.

1. Sri Arunendra Nath Mishra, learned counsel for the appellant is present.

2. By means of the present appeal, the appellant has assailed the judgment and decree dated 09.03.2026 passed by the learned Additional District Judge, Court No. 04, Hardoi, in Regular Civil Appeal No. 39/2023 (Man Singh Yadav & Others vs. Harishchandra (dead), with the prayer to upheld/restore the judgment and decree dated 29.08.2023 passed by the learned Civil Judge (Junior Division) East, Hardoi in Original Suit No. 36/2007 (Harishchandra (dead) vs. Man Singh Yadav & Others).

3. Precisely the submission of the learned counsel for the appellant is that the learned First Appellate Court while passing the impugned judgment has completely failed to considered the categorically findings recorded by the learned Trial Court that the sale deed in dispute is the result of fraud and forgery. It is submitted that the appellant is the *bona fide* owner of the land in question and the said land is the only source of his livelihood. It is further stated that the appellants are in possession of the disputed land.

4. Matter requires consideration.

5. The appeal is admitted on the following substantial questions of law:

"(i) Whether the presumption of validity attached to a registered document can be rebutted by contemporaneous official endorsement of incapacity and oral testimony, and whether the appellate Court erred in reversing such finding?

(ii) Whether the learned first Appellate Court committed manifest error of law in appreciation of evidence lead before the learned Trial Court and reaching to a different conclusion without any reasoning based on

substantial evidence on record?

6. Issue notice to the respondents, returnable at an early date.

7. Learned counsel for the appellant is directed to take steps for service of notice upon the respondents within ten working days.

8. Summon the Trial Court Record.

9. List this case on 31 July, 2026.

10. In the meanwhile, it is provided that till the next date of listing, the *status quo* as of today in respect of the nature and possession of the property in question shall be maintained by the parties.

(Syed Qamar Hasan Rizvi,J.)

May 29, 2026
Manoj K.

Digitally signed by :-
MANOJ KUMAR
High Court of Judicature at Allahabad,
Lucknow Bench