

Perlawanan pihak ketiga terhadap putusan perdamaian yang membatalkan perjanjian pengikatan jual beli : tinjauan yuridis terhadap Putusan Mahkamah Agung Nomor : 164 K/Pdt/2012 = Third party reciprocal on peace agreement that annuls pre arrangement purchasing agreement : judicial review Supreme Court Decision Number : 164 K/Pdt/2012 / Mestriana Setio Ningwulan

Mestriana Setio Ningwulan, author

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Abstrak

ABSTRAK

Tesis ini membahas mengenai putusan perdamaian yang membatalkan perjanjian pengikatan jual-beli yang telah dilakukan atas suatu bidang tanah di Depok. Putusan perdamaian yang dimaksud memiliki objek sengketa yang serupa dengan apa yang diatur didalam perjanjian pengikatan jual beli yang dibatalkan hanya saja berbeda pihak-pihak didalamnya. Penelitian ini adalah penelitian deskriptif dengan desain analitis. Hasil penelitian menyarankan perlu dibuat sebuah Memory of Understanding antara Ikatan Pejabat Pembuat Akta Tanah, Ikatan Notaris Indonesia, Badan Pertanahan Nasional, Mahkamah Agung dan Kementrian Hukum dan HAM RI terkait peralihan hak atas tanah yang didasari atas akta pengikatan jual-beli; Perlu diadakannya suatu pelatihan bersama bagi Hakim, Notaris/PPAT, dan advokat terkait keberadaan akta perjanjian pengikatan jual-beli agar terjadi seragaman visi.

ABSTRACT

The focus of this study is Peace Resolution That Annuls Pre Arrangement Purchasing Agreement that has been in force on a certain piece of land in municipality of Depok. The peace resolution has the same object with those of pre arrangement purchasing agreement that has in force that being annuls, the dissimilar of such agreement and resolution is on the party in which the agreement and resolution hold. This research is descriptive analytic. The researcher suggest that there's need to be a Memory of Understanding between Indonesia Notary Organization, PPAT organization, Government entity that exercise the rights of land, The Supreme Court and Ministry of Law and Human Rights concerning pre arrangement purchasing agreement; There's a need to establish a course group between judges, Notary/PPAT, and lawyers concerning pre arrangement purchasing agreement.