

Dampak Yuridis Keabsahan Suatu Akta Pernyataan Keputusan Rapat Pembina Yayasan Terhadap Tuntutan Perbuatan Hukum (Studi Kasus: Putusan Pengadilan Negeri Jakarta Selatan Republik Indonesia Nomor: 2437/Pdt.G/2007/Pn.Jkt.Sel) = Impact Of Juridical Validity Of A Deed Of Foundation Trustees Meeting Against Tort Lawsuits (South Jakarta State Court decision of the Republic of Indonesia number: 2437/Pdt. G/2007/PN.Jkt.Sel)

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Abstrak

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Tesis ini membahas mengenai gugatan yang diajukan oleh Penggugat Dra. Hj. Nunuk Murdiati Sulastomo terhadap Para Tergugat yang terkait dengan adanya pemberhentian Penggugat sebagai Ketua Pengurus Yayasan Harapan Ibu Pondok Pinang dengan dasar gugatan adalah Perbuatan Melawan Hukum. Dan Putusan Majelis Hakim Pengadilan Negeri Jakarta Selatan adalah memenangkan Pihak Penggugat dengan mendegradasi kedudukan Akta Keputusan Rapat Pembina menjadi batal demi hukum. Tujuan dari pokok permasalahan dalam thesis ini adalah untuk mengetahui tanggung jawab organ yayasan dan yayasan apabila timbul tuntutan hukum sehubungan dengan pelaksanaan operasional yayasan, mengetahui dan memahami konsekuensi yuridis atas berlakunya keputusan Rapat Pembina, memahami dasar pemikiran rumusan norma dari Pasal 1365 KUH Perdata mengenai Perbuatan Melawan Hukum (PMH), serta memahami keberlakuan akta notaris sebagai akta otentik yang menjadi obyek dari gugatan. Penelitian ini adalah penelitian dengan menggunakan pendekatan yuridis normatif.

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ABSTRACT

This Thesis discusses about the lawsuit filed by Plaintiff Dra. Hj. Nunuk Sulastomo Murdiati against the Defendants associated with the plaintiff's dismissal as Chairman of the Governing Board of the Foundation Harapan Ibu Pondok Pinang on the basis of the lawsuit is against the law. And a verdicts of the Tribunal judges of the District Court of South Jakarta is winning the Plaintiff which degrades the position of the deed of meeting of Trustees be annulled by law. The purpose of the principal problems in this thesis is to determine the responsibility of the organs of the Foundation and the Foundation in legal proceedings arising in connection with the implementation of the operations of the Foundation, knows and understands the consequences of the introduction of the juridical decision meeting of the Builder, understands the formulation of norms of the Civil Code regarding Article 1365 KUH Perdata (Tort), as well as understand the enforceability of an authentic deed as a notary deed which becomes the object of a lawsuit. The research is the research by using the juridical normative approach.

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