

ABSTRAK

Judul Skripsi Penulis adalah: Deskripsi Penyelesaian Sengketa Cessie Dalam Hukum Perdata. Rumusan masalah dalam penelitian ini adalah: 1). Mengapa Hakim Pengadilan Negeri mengabulkan gugatan penggugat dalam sengketa cessie? 2). Mengapa Hakim Pengadilan Negeri menolak gugatan penggugat dalam sengketa cessie? 3). Mengapa Hakim Pengadilan Negeri menyatakan gugatan penggugat tidak dapat diterima dalam sengketa cessie?. Tujuan dari penelitian ini adalah: 1). Untuk mengetahui alasan Hakim Pengadilan Negeri mengabulkan gugatan penggugat dalam sengketa Cessie, 2). Untuk mengetahui alasan Hakim Pengadilan Negeri menolak gugatan penggugat dalam sengketa Cessie, 3). Untuk mengetahui alasan Hakim Pengadilan Negeri menyatakan gugatan penggugat tidak dapat diterima dalam Sengketa Cessie. Variabel bebas ialah: alasan hakim pengadilan negeri mengabulkan gugatan penggugat dalam sengketa cessie, alasan hakim pengadilan negeri menolak gugatan penggugat dalam sengketa cessie, alasan hakim pengadilan negeri menyatakan gugatan penggugat tidak dapat diterima dalam sengketa cessie. Variabel Terikat adalah: Putusan Pengadilan Negeri dalam penyelesaian sengketa cessie. Berdasarkan hasil penelitian yang penulis lakukan maka: 1). Alasan hakim pengadilan negeri mengabulkan gugatan penggugat dalam sengketa cessie, yaitu: a). Perjanjian pengalihan piutang yang dilakukan oleh para pihak telah sesuai dengan hukum dan tidak terbukti mengandung cacat formil ataupun materil. b). Pemohon telah melaksanakan seluruh prosedur cessie secara tepat. c). Penggugat menguasai objek dengan bertikad baik. 2). Alasan hakim pengadilan negeri menolak gugatan penggugat dalam sengketa cessie, yaitu: a). Penggugat belum memiliki kedudukan hukum yang kuat atas objek sengketa. b). Dasar hukum pengalihan piutang (cessie) tidak jelas dan tidak terbukti secara yuridis. 3). Alasan hakim pengadilan negeri menyatakan gugatan penggugat tidak dapat diterima dalam sengketa cessie karena penggugat belum memiliki kedudukan hukum yang kuat atas objek sengketa. Saran: 1). Masyarakat diharapkan lebih memahami ketentuan pengalihan piutang (cessie) sesuai Pasal 613 KUH Perdata, memastikan keabsahan dokumen sebelum melakukan transaksi, serta berkonsultasi dengan ahli hukum atau notaris untuk menghindari sengketa. 2). Pemerintah perlu meningkatkan sosialisasi dan memberikan regulasi yang lebih jelas tentang mekanisme cessie, termasuk pengaturan pemberitahuan kepada debitur dan perlindungan pihak terkait, serta memperkuat sistem pencatatan dan informasi objek jaminan. 3). Pengadilan diharapkan menerapkan standar pembuktian yang konsisten dalam perkara cessie, memastikan kejelasan kedudukan hukum para pihak, serta memperkuat publikasi putusan agar dapat menjadi rujukan bagi masyarakat dan praktisi hukum.

Kata Kunci : Putusan Hakim, Sengketa Cessie

ABSTRACT

The title of the author's thesis is: Description of Cessie Dispute Resolution in Civil Law. The formulation of the problem in this study is: 1). Why did the District Court Judge grant the plaintiff's lawsuit in the cessie dispute? 2). Why did the District Court Judge reject the plaintiff's lawsuit in the cessie dispute? 3). Why did the District Court Judge declare the plaintiff's lawsuit inadmissible in a cessie dispute? The objectives of this study are: 1). To find out the reason why the District Court Judge granted the plaintiff's lawsuit in the Cessie dispute, 2). To find out the reason why the District Court Judge rejected the plaintiff's lawsuit in the Cessie dispute, 3). To find out the reason why the District Court Judge declared the plaintiff's lawsuit unacceptable in the Cessie Dispute. The independent variables are: the reason the district court judge granted the plaintiff's lawsuit in the cessie dispute, the reason the district court judge rejected the plaintiff's lawsuit in the cessie dispute, the reason the district court judge declared the plaintiff's lawsuit inadmissible in the cessie dispute. The Bound Variable is: The District Court's Decision in the settlement of cessie disputes. Based on the results of the research conducted by the author, the following are: 1). The reasons for the district court judge to grant the plaintiff's lawsuit in the cessie dispute, namely: a). The receivables transfer agreement made by the parties is in accordance with the law and is not proven to contain formal or material defects. b). The applicant has carried out all cessie procedures correctly. c). The plaintiff controls the object in good faith. 2). The reasons for the district court judge's rejection of the plaintiff's lawsuit in the cessie dispute are: a). The plaintiff does not yet have a strong legal position over the object of the dispute. b). The legal basis for the transfer of receivables (cessie) is unclear and not proven juridically. 3). The reason why the district court judge declared the plaintiff's lawsuit was inadmissible in a cessie dispute was because the plaintiff did not have a strong legal position on the object of the dispute. Suggestions: 1). The public is expected to better understand the provisions for the transfer of receivables (cessie) in accordance with Article 613 of the Civil Code, ensure the validity of documents before making transactions, and consult with legal experts or notaries to avoid disputes. 2). The government needs to increase socialization and provide clearer regulations on the cessie mechanism, including the regulation of notification to debtors and the protection of related parties, as well as strengthening the recording and information system of the collateral object. 3). The court is expected to apply consistent evidentiary standards in cession cases, ensure clarity of the legal position of the parties, and strengthen the publication of the judgment so that it can be a reference for the public and legal practitioners.

Keywords: Judge's Decision, Cessie Dispute