

ABSTRAK
Deskripsi Tentang Penyelesaian Sengketa Hak Guna Usaha
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Permasalahan yang diangkat dalam penelitian ini adalah: Mengapa Hakim Pengadilan Tata Usaha Negara Dan Peninjauan Kembali Mengabulkan Gugatan Penggugat? dan Mengapa Hakim Pengadilan Tinggi Tata Usaha Negara Dan Kasasi Menolak Gugatan Penggugat?

Tujuan penelitian Adalah Untuk Mengetahui Alasan Hakim Pengadilan Tata Usaha Negara Dan Peninjauan Kembali Mengabulkan Gugatan Penggugat dan Untuk Mengetahui Alasan Hakim Pengadilan Tinggi Tata Usaha Negara Dan Kasasi Menolak Gugatan Penggugat. Penelitian ini bersifat deskriptif dan menggunakan Jenis penelitian normatif.

Penelitian ini menggunakan dua variabel, yaitu : Variabel Terikat dan Variabel Bebas. Variabel Terikat dalam penelitian ini adalah Putusan Hakim terhadap Sengketa Hak Guna Usaha . Sedangkan Variabel Bebas dalam penelitian ini adalah Alasan Hakim Pengadilan Tata Usaha Negara dan Peninjauan Kembali Mengabulkan Gugatan Penggugat dan Alasan Hakim Pengadilan Tinggi Tata Usaha Negara dan Kasasi Menolak Gugatan Penggugat.

Berdasarkan hasil penelitian yang penulis lakukan maka Alasan Hakim Pengadilan Tata Usaha Negara dan Peninjauan Kembali Mengabulkan Gugatan Penggugat karena surat Keputusan yang di keluarkan oleh tergugat (Kepala Badan Pertanahan Nasional) telah cacat prosedur sesuai dengan PP No 11 Tahun 2010 tentang penertiban dan pendayagunaan tanah terlantar dan Alasan Hakim Pengadilan Tinggi Tata Usaha Negara Menolak Gugatan Penggugat karena bukti- bukti surat pemberitahuan serta laporan hasil identifikasi tanah yang menjadi dasar penerbitan keputusan telah cukup menunjukkan keterlibatan dan pemberitahuan kepada penggugat/terbanding serta Alasan Hakim Mahkamah Agung (kasasi) menolak Permohonan Kasasi karena alasan permohonan kasasi yang di ajukan oleh pemohon kasasi hanya menyangkut penilaian bukti dan fakta persidangan sehingga tidak dapat di nilai di Tingkat kasasi karena kasasi hanya memeriksa terkait dengan salah penerapan hukum.

Kata Kunci : Sengketa, Hak Guna Usaha

ABSTRACT
Description of Land Use Rights Dispute Resolution
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The problems raised in this research are: Why did the State Administrative Court and Judicial Review Judges grant the Plaintiff's lawsuit? and Why did the High State Administrative Court and Cassation Judges reject the Plaintiff's lawsuit?

The purpose of this research is to determine the reasons why the State Administrative Court and Judicial Review Judge granted the plaintiff's lawsuit and to determine the reasons why the High State Administrative Court and Cassation Judge rejected the plaintiff's lawsuit. This research is descriptive and uses a normative research type.

This study uses two variables, namely: the Dependent Variable and the Independent Variable. The Dependent Variable in this study is the Judge's Decision on the Cultivation Rights Dispute. While the Independent Variable in this study is the Reasons of the Judges of the State Administrative Court and Judicial Review in Granting the Plaintiff's Lawsuit and the Reasons of the Judges of the High State Administrative Court and Cassation in Rejecting the Plaintiff's Lawsuit.

Based on the results of the research conducted by the author, the Reasons for the State Administrative Court Judge and Judicial Review to Grant the Plaintiff's Lawsuit were because the Decree issued by the defendant (Head of the National Land Agency) was procedurally flawed in accordance with PP No. 11 of 2010 concerning for the regulation of areas and the utilization of abandoned land and the Reasons for the High State Administrative Court Judge to Reject the Plaintiff's Lawsuit because the evidence of the notification letter and the land identification report which became the basis for issuing the decision were sufficient to show involvement and notification to the plaintiff/appellee and the Reasons for the Supreme Court Judge (cassation) to reject the Cassation Application because the reasons for the cassation application submitted by the cassation applicant only concerned the assessment of evidence and trial facts so that it could not be assessed at the cassation level because the cassation only examined matters related to misapplication of the law.

Keywords: Dispute, Right To Cultivate