

ABSTRAK

Judul : Deskripsi tentang Penyelesaian Sengketa Tanah warisan .rumusan masalah yang diteliti penulis adalah: mengapa hakim pengadilan negeri menyatakan gugatan penggugat ditolak, mengapa hakim pengadilan tinggi dan mahkamah agung Tingkat kasasi menyatakan gugatan penggugat dikabulkan Sebagian, mengapa hakim peninjau kembali menolak permohonan peninjauan kembali. Tujuan dari penelitian ini adalah untuk mengetahui alasan hakim pengadilan negeri menyatakan gugatan penggugat ditolak, alasan hakim pengadilan tinggi dan mahkamah agung Tingkat kasasi menyatakan gugatan penggugat dikabulkan sebagian, alasan hakim peninjauan Kembali menolak permohonan peninjauan kembali. Penelitian ini menggunakan jenis penelitian normatif. Variabel penelitian yang digunakan adalah variabel bebas dan variabel terikat, variabel bebas untuk mengetahui Alasan hakim pengadilan negeri menyatakan gugatan penggugat ditolak untuk mengetahui Alasan hakim pengadilan tinggi dan Mahkamah Agung Tingkat kasasi menyatakan gugatan penggugat dikabulkan Sebagian untuk mengetahui Alasan hakim peninjauan kembali menolak permohonan peninjauan Kembali Variabel terikat dalam penelitian adalah putusan hakim dalam penyelesaian sengketa tanah warisan, Penelitian ini menunjukkan bahwa Hakim Pengadilan Negeri menolak gugatan Penggugat karena tidak ada bukti perbuatan melawan hukum dan Penggugat tidak dapat membuktikan gugatannya. Sebaliknya, Pengadilan Tinggi dan Mahkamah Agung mengabulkan gugatan penggugat sebagian setelah menilai bahwa tanah yang disengketakan Adalah tanah warisan yang dikendalikan dan dialihkan tanpa persetujuan semua ahli waris, sehingga itu adalah tindakan yang melanggar hukum. Mahkamah Agung di tingkat Peninjauan Kembali menolak permohonan PK karena barang bukti baru (novum) yang diajukan tidak memenuhi syarat sebagai novum yang sah, yaitu tidak disertai dengan Sumpah Penemuan Barang Bukti Baru

Kata kunci: putusan hakim, sengketa tanah warisan

ABSTRACT

Title: Description of Settlement of Inherited Land Disputes .The formulation of the problems researched by the author is: why the state court judge stated that the plaintiff's lawsuit was rejected, why the judges of the high court and the supreme court The level of cassation stated that the plaintiff's lawsuit was granted Partially, why the reviewing judge again rejected the request for review. The purpose of this study is to find out the reason why the state court judge declared the plaintiff's lawsuit rejected, the reason why the high court judge and the supreme court of cassation stated that the plaintiff's lawsuit was partially granted, the reason why the review judge rejected the request for review. This research uses a normative type of research. The research variables used are independent variables and bound variables, independent variables to find out The reason why the judge of the state court stated that the plaintiff's lawsuit was rejected to find out the reason for the high court judge and Mahkamah Agung The level of cassation stated that the plaintiff's lawsuit was granted Partly to find out the reason for the judge of the review of the case to reject the application for review The variable tied in the study is the judge's decision in the settlement of inherited land disputes, This research shows that the District Court Judge rejected the Plaintiff's lawsuit because there was no evidence of unlawful acts and the Plaintiff could not prove his claim. Instead, the High Court and the Supreme Court granted the plaintiff's lawsuit in part after judging that the disputed land was inherited land that was controlled and transferred without the consent of all the heirs, so it was an unlawful act. The Supreme Court at the Review level rejected the PK application because the new evidence (novum) submitted did not qualify as a valid novum, i.e. it was not accompanied by an Oath of Discovery of New Evidence

Keywords:*judge's decision, inheritance land dispute*