

ABSTAK

Deskripsi Tentang Putusan Hakim Dalam Pertanggung Jawaban Perjanjian Jual Beli Sirtu, Maria Nurita Virna Neonmetha, NIM 22310064. Pokok permasalahan yang ingin diteliti dalam penelitian ini adalah Mengapa hakim pengadilan Negeri menolak gugatan penggugat untuk seluruhnya? Mengapa hakim pengadilan tinggi mengabulkan gugatan penggugat untuk Sebagian? Mengapa hakim mahkamah Agung menolak permohonan kasasi dari tergugat atau pemohon kasasi? Penelitian ini bertujuan untuk mengetahui alasan hakim pengadilan Negeri menolak gugatan penggugat untuk seluruhnya, Untuk mengetahui alasan hakim pengadilan tinggi mengabulkan gugatan penggugat untuk Sebagian, Untuk mengetahui alasan hakim Mahkamah Agung menolak permohonan kasasi dari tergugat atau pemohon kasasi. Sifat penelitian ini yaitu deskriptif yaitu penelitian yang mendeskripsikan atau menggambarkan, menguraikan dan menjelaskan suatu keadaan atau peristiwa yang sejelas mungkin tanpa perlakuan terhadap objek yang diteliti. Penelitian ini menggunakan jenis penelitian yuridis normatif yaitu penelitian hukum kepustakaan yang dilakukan dengan cara meneliti bahan-bahan pustaka atau data sekunder. Variabel penelitian yaitu variabel bebas dan variabel terikat. Jenis sumber data adalah berupa data sekunder terdiri atas bahan hukum primer, bahan hukum sekunder dan bahan hukum tersier. Berdasarkan hasil penelitian yang dilakukan oleh penulis menyimpulkan bahwa 1. Alasan hakim pengadilan Negeri menolak gugatan penggugat untuk seluruhnya. Gugatan ditolak secara teori bukan lagi formalitas gugatan tergugat sudah memasuki pembuktian Oleh karena itu gugatan ditolak karena : a. Gugatan sempurna secara formil b. Penggugat tidak dapat membuktikan gugatan c. Tergugat mampu membuktikan sangkalannya 2. Alasan hakim pengadilan tinggi mengabulkan gugatan penggugat untuk Sebagian karena : a. Gugatan sempurna secara formil b. Penggugat dapat membuktikan gugatan c. Tergugat tidak dapat membuktikan sangkalannya. 3. Alasan hakim Mahkamah Agung menolak permohonan kasasi dari tergugat atau pemohon kasasi : a. Putusan PT sudah tepat dan benar b. Gugatan PT terbukti mengabulkan. Saran Bagi hakim dalam memeriksa dan memutus perkara wanprestasi, diharapkan lebih mengutamakan penilaian terhadap keseluruhan alat bukti yang diajukan para pihak, baik bukti surat, bukti elektronik, maupun keterangan saksi, sehingga putusan yang dijatuhkan benar-benar mencerminkan kepastian hukum, keadilan, dan kemanfaatan. Perbedaan penilaian terhadap alat bukti sebagaimana terjadi antara putusan Pengadilan Negeri dan Pengadilan Tinggi menunjukkan pentingnya ketelitian dalam menilai hubungan hukum yang sebenarnya antara para pihak. Bagi para pihak yang mengajukan gugatan ke pengadilan, hendaknya menyusun surat gugatan secara cermat, sistematis, dan sesuai dengan ketentuan hukum acara perdata. Posita dan petitum harus saling bersesuaian serta didukung oleh alat bukti yang memadai agar tidak menimbulkan perbedaan penafsiran dalam pemeriksaan perkara dan dapat mempermudah hakim dalam menemukan kebenaran hukum. Bagi para pihak yang mengajukan gugatan ke pengadilan, hendaknya menyusun surat gugatan secara cermat, sistematis, dan sesuai dengan ketentuan hukum acara perdata. Posita dan petitum harus saling bersesuaian serta didukung oleh alat bukti yang memadai agar tidak menimbulkan perbedaan penafsiran dalam pemeriksaan perkara dan dapat mempermudah hakim dalam menemukan kebenaran hukum. Kata kunci : perjanjian jual beli dan wanprestasi.

ABSTRACT

Description of Judges' Decisions on Liability in a Sand and Gravel (Sirtu) Sale and Purchase Agreement, Maria Nurita Virna Neonmetha, Student ID Number 22310064. The main issues examined in this research are: Why did the District Court reject the plaintiff's claim in its entirety? Why did the High Court partially grant the plaintiff's claim? Why did the Supreme Court reject the cassation petition filed by the defendant or cassation petitioner? This study aims to determine the reasons why the District Court rejected the plaintiff's claim in its entirety, to determine the reasons why the High Court partially granted the plaintiff's claim, and to determine the reasons why the Supreme Court rejected the cassation petition filed by the defendant or cassation petitioner. This research is descriptive in nature, namely research that describes, explains, and elaborates a condition or event as clearly as possible without providing any treatment to the object being studied. This study employs a normative juridical research method, namely legal library research conducted by examining library materials or secondary data. The research variables consist of independent and dependent variables. The data sources used are secondary data consisting of primary legal materials, secondary legal materials, and tertiary legal materials. Based on the results of the research, the author concludes that: (1) the reasons why the District Court rejected the plaintiff's claim in its entirety were that the case had entered the evidentiary stage; therefore, the claim was rejected because the lawsuit was formally valid, the plaintiff failed to prove the claim, and the defendant successfully proved the rebuttal. (2) The reasons why the High Court partially granted the plaintiff's claim were that the lawsuit fulfilled the formal legal requirements, the plaintiff was able to prove the claim, and the defendant failed to prove the rebuttal. (3) The reasons why the Supreme Court rejected the cassation petition filed by the defendant or cassation petitioner were that the High Court's decision was appropriate and legally correct, and the High Court had correctly proven the plaintiff's claim and therefore partially granted the claim. The suggestions are as follows: Judges, in examining and deciding breach of contract cases, are expected to prioritize a comprehensive assessment of all evidence submitted by the parties, including documentary evidence, electronic evidence, and witness testimony, so that the judgments rendered truly reflect legal certainty, justice, and expediency. The differences in the assessment of evidence between the District Court and the High Court demonstrate the importance of careful consideration in determining the actual legal relationship between the parties. Parties filing lawsuits should prepare their statements of claim carefully, systematically, and in accordance with the provisions of civil procedural law. The *posita* and *petitum* should correspond to one another and be supported by sufficient evidence in order to avoid differing interpretations during the examination of the case and to facilitate judges in discovering the legal truth. Parties filing lawsuits should also ensure that their claims are drafted clearly, systematically, and in compliance with procedural law. The *posita* and *petitum* must be consistent with each other and supported by adequate evidence to minimize differences in legal interpretation and assist judges in rendering fair and legally sound decisions.

Keywords: Sale and Purchase Agreement and Breach of Contract (*Wanprestasi*).