

ABSTRACT

Priska Febriana Chandra (NIM : 00000001082)

**“JUDICIAL ANALYSIS REGARDING JOINT PROPERTY DIVISION IN
THE EVENT OF DIVORCE (CASE STUDY : DECISION
NUMBER : 539/Pdt.G/2014/PN.JKT.PST)”.**

(xiv + 68 pages, 1 attachment)

Every human being is a social creature that always do interaction with other humans, this contact has been made since born until die. The example of this interaction is a marriage between a man and a woman, marriage is a personal, physical, psychological, emotional and spiritual bond between a man and a woman to form a family. The purpose of marriage is to have a happy prosperous family, to reach that between husband and wife needs to help and complete each other, so that both of husband and wife can develop their personality to help them to reach happy prosperous family. However, the marriage not always goes well and sometimes ends up by divorce. Divorce seems to be the best solution to resolve domestic conflict. Unfortunately divorce still leaving problem, one of the example is the separation of marital property. Marital property is a property that both of husband and wife get when the marriage occurred, but this does not rule out the possibility of separation property when they have made about separation property when divorce happens. If they haven't made agreement for separation property, then when divorce happens the property will be divided to both equitably. However, in the reality the separation for the marital property for both husband and wife often occurred unfairness in separation the martial property so that became a problem for one from either husband or wife. The unfairness problem from the separation martial property can be settled in court. They can hope the judge to give them fair amount in the final court decisions. This essay is to analyze how the judge can apply the law to the verdict No.539/Pdt.G/2014/PN.JKT.PST, but according to author analysis, this final court decision not yet provide a fair amount to both ex husband and ex wife. This issue is not accordance with Article 128 of the Indonesia Civil Code and the Supreme Court of Indonesia Jurisprudence No.1448K/Sip/1974.

References: 23 (1976-2013)