

ABSTRACT

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JURIDICAL REVIEW OF PURCHASING INHERITED LAND THAT IS DONE AGAINST THE LAW (Case Study: Number 38/Pdt.G/2018/PN Bla)

(xi + 126 pages; 1 attachment)

Sometimes a dispute can happen during purchasing a land, especially an inheritance land. There are many kinds of dispute, but in this case, a dispute that happens is because the seller of the inheritance land is not the legitimate heirs. The seller sells the land without the consent of the legitimate heirs. This case occurred in a District Court Number 38/Pdt.G/2018/PN Bla where this dispute happened because of The Defendant I sold the inheritance land to The Defendant II and Defendant III meanwhile the inheritance land still belongs to The Plaintiffs. The Plaintiffs already tried to mediate with the Defendants but it doesn't work. Then The Plaintiffs sued The Defendants with a lawsuit against the law or we can call it tort law. The clause that regulates the tort law is in section 1365 KUHPperdata. The purposes of this research are first, to know about the procedure of purchasing inheritance land that hasn't been certified and second, to know about fulfillment the elements of tort law and also the consequence about purchasing inheritance land in case Number 38/Pdt.G/2018/PN Bla. The Judges decided to win The Plaintiffs because The Plaintiffs is the legitimate heir and the owner of the inheritance land. This research is using normative method that is based on law case study and regulations. The type of data that is used in normative method is secondary data where this data includes library research that will be examine through qualitative methods. This qualitative methods in this research is carried out by deductive analysis process.

Keywords: Purchasing A Land, Inheritance Land, Tort Law

References: 66 (1962-2019)