

ABSTRACT

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LEGAL CONSEQUENCES OF LAND SALES AND PURCHASES DONE BY A SELLER WITH A STROKE (CASE STUDY OF SUPREME COURT DECISION NUMBER 3586 K/PDT/2020)

(viii + 127 pages)

The transfer of land ownership is often done through sales and purchases. People who are under guardianship or custodianship may also do the transaction through specific procedures that have been regulated in Indonesia. However, as per the Supreme Court Decision Number 3586 K/Pdt/2020, there will be legal consequences if the transaction done by sellers who are under guardianship or custodianship is not in accordance with the existing procedures. The purpose of this research is to discover and analyze the requirements, process, and outcomes of land ownership transfer based on Indonesian laws and regulations when the sellers are under guardianship due to a stroke (Case Study of Supreme Court Decision No 3586 K/Pdt/2020). This research uses a normative empirical approach with a judicial case study since it involves the usage of books, statutes, and case approaches (Supreme Court decision Number 3586 K/Pdt/2020). Therefore, land transactions conducted by sellers under guardianship due to a stroke must have a valid court order that appoints a curator to represent their legal actions. On the contrary, sellers under guardianship due to a stroke who do not follow the existing land ownership transfer regulations in Indonesia will receive legal consequences, which includes losing land ownership.

Keyword: Land Ownership, Under Guardianship, Stroke

References: 77 (1945-2022)