

**REJECTION OF DEBT PAYMENT SUSPENSION (PKPU) AGAINST THE
CANCELLATION OF CONDOTEL AND APARTMENT UNIT PURCHASE
BASED ON ARTICLE 8 PARAGRAPH (4) OF LAW NUMBER 37 OF 2004
ON BANKRUPTCY AND PKPU REGARDING SIMPLE PROOF**

(Case Study of Decision Number 180/Pdt.Sus-PKPU/2023/PN.Niaga.Jkt.Pst)

Shabrina Paramitha*, Veri Antoni**

ABSTRACT

The objective of this research is to analyze and evaluate the judges' considerations in Decision Number 180/Pdt.Sus-PKPU/2023/PN Niaga.Jkt.Pst, which states that cases of indebtedness cannot be subjected to the PKPU process. The study aims to determine if this decision aligns with the principle of "simple verification" as outlined in Article 8, Paragraph (4) of Law Number 37 of 2004 concerning Bankruptcy and PKPU. Additionally, the research explores the legal consequences for the PKPU Applicants as a result of the rejection of their PKPU Application by the panel of judges.

This study is a normative legal research project with a qualitative descriptive approach. The research methodology includes a legislative approach and a case approach. The data used in this research comprises secondary data, which includes primary, secondary, and tertiary legal materials. Data collection was carried out through literature study. The data analysis used in this research is qualitative.

The research findings show that the panel of judges' consideration in Decision Number 180/Pdt.Sus-PKPU/2023/PN Niaga.Jkt.Pst, which rejected the PKPU petition filed by the Applicants, is not in line with the facts or circumstances that were proven simply, in accordance with Article 8 paragraph (4) of Law Number 37 of 2004 on Bankruptcy and PKPU. This is because the requirements for granting PKPU are met by two simple facts: the existence of two or more creditors and the presence of unpaid debts that have matured. Therefore, any dispute regarding payments between the two parties does not affect the granting of PKPU. The legal consequences for the Applicants, due to the rejection of their PKPU petition, are the loss of the opportunity for debt restructuring, the need to pursue other legal remedies, and the risk of their rights not being fulfilled.

Keywords: Rejection of PKPU Application, Simple Verification, Legal Consequence.

* Seturan, Daerah Istimewa Yogyakarta.

** Lecturer at the Faculty of Law, Gadjah Mada University.