

**IMPLIKASI HUKUM TERHADAP AKTA YANG DIBUAT OLEH
NOTARIS/PPAT YANG DIPUTUS MELAKUKAN
PERBUATAN MELAWAN HUKUM
(STUDI PUTUSAN MAHKAMAH AGUNG
NOMOR: 1717/K/PDT/2016)**

INTISARI

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Penelitian ini bertujuan untuk mengetahui dan menganalisis implikasi hukum terhadap akta yang dibuat oleh notaris/PPAT yang diputus melakukan perbuatan melawan hukum dan tujuan selanjutnya untuk mengetahui implikasi hukum bagi para pihak terhadap Putusan Mahkamah Agung Nomor: 1717/K/Pdt/2016.

Jenis penelitian yang digunakan normatif dilengkapi dengan wawancara, sifat penelitian deskriptif. Bahan penelitian yakni data primer, data sekunder, dan data tersier. Analisis data yang diterapkan bersifat kualitatif dengan menggunakan pendekatan analitis.

Kesimpulan penelitian ini yang pertama, implikasi hukum terhadap akta yang dibuat oleh notaris/PPAT yang diputus melakukan perbuatan melawan hukum adalah akta batal demi hukum. Berdasarkan Putusan Mahkamah Agung Nomor: 1717/K/Pdt/2016, para tergugat serta turut tergugat terbukti telah melakukan perbuatan melawan hukum sebagaimana diatur dalam Pasal 1365 KUHPerdara. Kedua, implikasi hukum bagi para pihak terhadap Putusan Mahkamah Agung Nomor: 1717/K/Pdt/2016, bagi pihak Yulia Fitriati selaku penggugat yaitu berupa penyerahan dan pemulihan kembali objek sengketa, memperoleh ganti rugi serta kepastian hukum. Akibat hukum bagi Benny Yanto selaku tergugat I yaitu mengembalikan objek sengketa, serta membayar biaya perkara. Akibat hukum bagi notaris/PPAT selaku tergugat dan turut tergugat yaitu akta yang dibuat beserta surat-surat lainnya yang menjadi dasar peralihan hak atas tanah dan bangunan objek sengketa dan perjanjian-perjanjian lainnya adalah batal demi hukum.

Kata Kunci: Implikasi, Akta Notaris/PPAT, Perbuatan Melawan Hukum

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**IMPLICATIONS OF LAW ON DEEDS ISSUED BY NOTARIES/PPAT
DECLARED TO HAVE COMMITTED UNLAWFUL ACTS
(A STUDY OF SUPREME COURT DECISION
NUMBER: 1717/K/PDT/2016)**

Abstract

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This research aims to examine and analyze the legal implications concerning deeds issued by notaries/PPAT who have been declared to have committed unlawful acts, and further, to understand the legal consequences for the parties involved under Supreme Court Decision Number: 1717/K/Pdt/2016.

This study utilizes a normative legal method, complemented by interviews, and is descriptive in nature. The research data include primary, secondary, and tertiary sources, analyzed qualitatively through an analytical approach.

The research concludes that, first, the legal implication of deeds issued by notaries/PPAT adjudged to have committed unlawful acts is that such deeds are null and void by operation of law. Based on Supreme Court Decision Number: 1717/K/Pdt/2016, the defendants and co-defendants were found to have committed unlawful acts under Article 1365 of the Indonesian Civil Code. Second, the legal implications for the parties based on Supreme Court Decision Number: 1717/K/Pdt/2016 include, for Yulia Fitriati as the plaintiff, the restitution of the disputed property, compensation, and legal certainty. For Benny Yanto as Defendant I, the legal consequence includes returning the disputed property and covering court costs. For the notary/PPAT as the defendant and co-defendant, the legal consequence is that the deeds issued, together with other documents serving as the basis for the transfer of rights to the disputed land and buildings, as well as related agreements, are null and void by operation of law.

Keywords: *Legal Implications, Notary/PPAT Deed, Unlawful Act*

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