

Tinjauan yuridis mengenai kewenangan kurator dalam mengambilalih harta pihak ketiga berdasarkan pengakhiran sepihak perjanjian sewa-menyewa dan hak pengelolaan tanah atas harta pailit : studi kasus PT. Takara Golf Resort v Kurator PT. Panca Wiratama Sakti = Judicial review on curator's authority in taking over third party property based on unilateral termination of rent agreement and land management rights agreement on bankruptcy land : study case PT. Takara Golf Resort v Curator of PT. Panca Wiratama Sakti

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Abstrak

Skripsi ini membahas mengenai kewenangan yang dimiliki oleh Kurator dalam mengambilalih harta dari pihak ketiga yang berada di atas tanah boedel pailit serta kewenangannya dalam mengakhiri perjanjian sewa-menyewa dan hak pengelolaan tanah secara sepihak. Tesis ini menggunakan penelitian yuridis normatif karena menitikberatkan pada penelitian kepustakaan yang intinya meneliti asas-asas hukum, sistematis hukum, dan sinkronisasi hukum dengan cara menganalisisnya. Data yang diperoleh dianalisis dengan menggunakan metode deskriptif kualitatif. Pada akhirnya, Peneliti memperoleh kesimpulan bahwa putusan tidak sesuai dengan UUK-PKPU dan harta pihak ketiga tetap termasuk ke dalam boedel pailit sehingga kepengurusannya dapat diambilalih oleh Kurator.

.....This thesis discussed about Curator's authorities in taking over assets of third party which were built above the bankruptcy land owned by a bankrupt debtor and also the authority to make unilateral termination of rent agreement with land management rights in it. Furthermore, this thesis uses normative legal research because it focuses on the research literature that examines the core principles of law, the law systematically, and the synchronization of the law by analyzing them. The data obtained were analyzed using qualitative descriptive methods. Researcher came to conclusions that the decision of Supreme Court is not in accordance with Bankruptcy Act and the assets of third party are included in bankrupt assets, therefore they can be taken over by Curators.