

ABSTRAK

Skripsi ini adalah hasil penelitian tentang “**Sengketa Perdata Akibat Pelaksanaan Lelang Barang Jaminan Milik Debitur Sesuai Undang-Undang Hak Tanggungan**”. Penelitian ini bertujuan untuk menjawab pertanyaan bagaimana adanya akibat gugatan lelang eksekusi hak tanggungan oleh debitur di Pengadilan Negeri dan bagaimana efektivitas lelang atas objek eksekusi barang jaminan milik debitur.

Penelitian ini adalah penelitian kualitatif dengan pendekatan yuridis empiris analisis. Dalam hal ini penelitian akan melakukan observasi, wawancara dan dokumentasi kemudian menganalisisnya.

Hasil dari penelitian ini menyimpulkan bahwa berawal dari Debitur cidera janji atau wanprestasi maka tanah beserta bangunan gudang yang dimilikinya tersebut di lelang oleh PT Bank Ina Perdana Tbk Semarang, Jl. Depok 38 D Semarang dan barang lelang tersebut di menangkan kan oleh pemenang lelang dengan bukti pelunasan biaya administrasi lelang negara dan pajak BPHTB atau biaya peralihan hak tanah dan bangunan dengan dilengkapi sertifikat HGB No. 1162, ijin mendirikan bangunan 648/41/2006, bukti bayar PBB.

Kemudian Debitur bermaksud membeli kembali ke pemenang lelang atau menebusnya membuat pernyataan tertulis. Namun ternyata sebelum perjanjian kesepakatan berakhir debitur mengajukan gugatan perdata ke Pengadilan Negeri Ungaran dengan alasan tidak setuju atas harga. Pada saat itu juga debitur mengaku bahwa tanah telah di kuasai nya kembali, ditawarkan ke orang lain untuk dijual.

Kata kunci : Perjanjian, Lelang, Sengketa, Hak Tanggungan, Wanprestasi

ABSTRACT

His thesis is the result of research on "**Civil Disputes Due to the Implementation of Debtor Property Auction Guaranteed According to the Mortgage Rights Act**". This study aims to answer the question of how it is due to the auction lawsuit of execution of mortgage rights by the debtor in the District Court and how the effectiveness of the auction for the object of execution of the debtor's collateral.

This research is a qualitative research with a juridical empirical analysis approach. In this case the study will conduct observations, interviews and documentation and then analyze it.

The results of this study concluded that originating from the debtor's breach of contract or default, the land and its warehouse buildings were auctioned by PT Bank Ina Perdana Tbk Semarang, Jl. Depok 38 D Semarang and the auctioned goods were won by the winner of the auction with proof of payment of the administrative costs of the state auction and the BPHTB tax or the cost of transferring land and building rights accompanied by a certificate of HGB No. 1162, permit to build a building 648/41/2006, proof of United Nations payment.

Then the Debtor intends to buy back the auction winner or make it up to make a written statement. But apparently before the agreement ended the debtor filed a civil suit to the Ungaran District Court on the grounds of not agreeing on the price. At that time the debtor also claimed that the land had been reclaimed, offered to someone else to sell.

Keywords: Agreement, Auction, Dispute, Mortgage, Default