

*over* Ganefo menimbulkan sengketa yang di dasarkan pada penggantian kerugian yang di berikan oleh pemerintah terhadap masyarakat sekitar yang terdampak.

Penelitian ini bertujuan untuk mengetahui dan menganalisis tentang proses pemberian ganti kerugian yang layak bagi warga akibat pengadaan tanah dalam pembangunan *fly over* Ganefo di Kecamatan Mranggen Kabupaten Demak, serta untuk mengetahui pertimbangan hakim terhadap putusan No. 1/Pdt.G/2020/PN.

Metode pendekatan yang di gunakan ialah yuridis empiris, spesifikasi penelitian yang bersifat deskriptif analitis. Subjek dan obyek penelitian yang di ambil merupakan pihak yang di jadikan sampel dalam penelitian. Metode pengumpulan data yang di gunakan terdapat dua metode yaitu studi lapangan dan studi kepustakaan. Metode analisis data dalam penelitian ini secara deskriptif kualitatif.

Hasil dari penelitian ini menunjukkan bahwa : 1) proses pemberian ganti kerugian dalam pengadaan tanah dilaksanakan berdasarkan 4 tahap, yaitu : yang pertama inventarisasi dan identifikasi penguasaan, pemilikan, penggunaan, dan pemanfaatan tanah, yang kedua penilaian ganti kerugian, yang ketiga musyawarah penetapan ganti kerugian, yang keempat pemberian ganti kerugiannya dalam bentuk uang dan dilaksanakan pelepasan hak atas tanah. 2) pertimbangan hakim dalam memutus perkara No. 1/Pdt.G/2020/PN Dmk karena terdapat fakta pemohon keberatan telah menyetujui dan sudah membubuhkan tanda tangan dalam berita acara kesepakatan dalam musyawarah pertemuan pertama mengenai hasil bentuk ganti kerugian, sehingga putusan pemohon keberatan tidak dapat diterima.

Kesimpulan dari proses pemberian ganti kerugian dalam penelitian ini sudah sesuai dengan ketentuan hukum yang berlaku menurut tata cara dalam Undang-Undang No. 2 tahun 2012 tentang pengadaan tanah untuk kepentingan umum dan peraturan pelaksanaannya.

**Kata Kunci :** *Pengadaan Tanah, Ganti Kerugian, Kepentingan Umum*

### **ABSTRAC**

*Land Procurement is an activity of providing land by providing proper and fair compensation to the rightful party. This research focuses on the construction of public facilities that require land as the main component. The construction of the Ganefo Fly Over is a way out for the congestion problem that occurs in Mranggen District, Demak Regency. The construction of the Ganefo Fly Over caused a dispute based on the compensation provided by the government to the affected surrounding communities.*

*This study aims to find out and analyze the process of providing proper compensation to residents as a result of land acquisition in the construction of Fly Over*

*Ganefo in Mranggen District, Demak Regency, and to find out the judge's consideration of decision No. 1/Pdt.G/2020/PN.*

*The approach method used is empirical juridical, research specifications that are analytical descriptive in nature. The subjects and research objects taken were the parties who were sampled in the study. There are two methods of data collection used, namely field studies and literature studies. The method of data analysis in this research is descriptive qualitative.*

*The results of this study indicate that: 1) the process of providing compensation in land acquisition is carried out based on 4 stages, namely: the first inventory and identification of control, ownership, use and utilization of land, the second is the assessment of compensation, the third is deliberation on determining compensation, the fourth is giving compensation in the form of money and carrying out the relinquishment of land rights. 2) consideration of the judge in deciding case No. 1/Pdt.G/2020/PN Dmk because there is a fact that the objector has agreed and has signed the minutes of the agreement at the first meeting regarding the results of the form of compensation, so that the objection's decision cannot be accepted.*

*The conclusion of the process of granting compensation in this study is in accordance with the applicable legal provisions according to the procedures in Law no. 2 of 2012 concerning land acquisition for public purposes and its implementing regulations.*

***Keywords : land acquisition, compensation, public interest***