

ABSTRACT

Laily, Affi Nurul. 11210003. 2015. Review Marriage of Juridical Against Decision Niet Onvankelijk verklaard **(NO) In Article** istbat Cumulative Sues Divorce (Case Study Case No: 2295 / Pdt.G / 2013 / PA.Mlg.).

Supervisor: Erfaniah Zuhriah, S.Ag., M.H.

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Judge as the upholder of justice has found the legal obligations in the case filed. Judge may find the law by way of interpretation and construction. There are several decisions generated by the Judge. One of them is not acceptable decision (Niet Onvankelijk verklaard / NO). The verdict is not accepted (Niet Onvankelijk verklaard / NO) case number 2295 / Pdt.G / 2013 / PA. Because the principal plaintiff absence of any proceedings which led peace efforts have been unsuccessful with the conclusions of the plaintiff did not really guided by Article 123 paragraph (1) and (3) HIR and Article 82 paragraph (2) and (3) of Act No. 7 1989. The problems caused researchers interested in knowing some basic considerations and legal discovery method so that the judges verdict is not accepted (Niet Onvankelijk verklaard / nO) on case number 2295 / Pdt.G / 2013 / PA.Mlg.

Researchers use the type of empirical research, the approach of the case in the form of case No. 2295 / Pdt.G / 2013 / PA.Mlg. Data collection used interviews and documentation as an analysis of the results of the interview. In data analysis, the researcher used descriptive method of analysis. Researchers used interviews as the primary data, and the judge's ruling as the primary legal materials, and secondary law derived from the literature or reading books that are relevant to the subject matter, then analyzed to the conclusion.

These results prove that the judge in the verdict is not accepted (Niet Onvankelijk verklaard / NO) on case No. 2295 / Pdt.G / 2013 / PA.Mlg not only based on Article 123 paragraph (1) and (3) HIR and Article 82 paragraph (2) and (3) of Act No. 7 of 1989, but also judging from the presence of the parties in each trial. While in the process of discovery of the law of the case No. 2295 / Pdt.G / 2013 / PA.Mlg, the judges apply the syllogism of Article 82 paragraph (2) of Law No. 50 of 2009 that the contents in the peace trial, husband and wife should come in person, unless they are abroad. So that when the parties are in the territory of Indonesia, and is not present at the peace then peace is not implemented. The method is called subsumtif method. As in this case, the decision is not accepted (Niet Onvankelijk verklaard / NO) dropped by Judge Plaintiff Principal reasons are not really in filing a lawsuit, because it does not obey the judges to be present in court for the implementation of the peace efforts.