

ABSTRACT

The purpose of this study is to analyze judge decision towards dispute of ownership PT.CTPI in supreme court decision Decision No 862 K / Pdt / 2013 . The research method is using normative method with analyzing judge decision with the regulation that sentenced towards defendant. Data analysis in this research was carried out by qualitative methods. The result of this study are that the judge of Supreme Court ignoring some fact that can be a consideration for judge to not sentencing defendant with unlawful act decision. The plaintiff has no intention to conduct their obligations in transfer of shares with defendant. As investment agreement, Defendant has a rights to possessed the company because of the performance has been fulfilled by the defendant. The plaintiff has violates principles of good faith and pacta sunt servanda in business contract. The regulation regarding EGMS that stipulated on law no 40 of 2007, defendant has fulfilled entire requirements for the EGMS and lawfully has a capacity to make a decision regarding the investment agreement.

Keyword : Unlawful act, Supreme Court Verdict, PT Cipta Televisi Pendidikan Indonesia