

## Settlement of Land Disputes with the Title of Property Right Post Judges Decision (The Study of Land Disputes Bambu Runcing)

Tuti Handayani<sup>\*</sup>, Zainal Asikin<sup>\*\*</sup>, Widodo Dwi Putro<sup>\*\*</sup>

<sup>\*</sup> Student of Magister Law Study Program, Postgraduate Program, Mataram University, Indonesia

<sup>\*\*</sup> Lecture of Law Faculty Mataram University, Indonesia

### Abstract

This study aims to analyze state land dispute resolutions that are certified after the Judge's Decision (The Study of Land Disputes Bambu Runcing), Execution Process Implementation completion of post-Decision eta settlement: Submitting application for the execution of number: R/22/IX/2014/Bidkum on 23 sept 2014; Letter of request for rescheduling Execution No. R/30/XI/2014/Bidkum dated 27 November 2014; Minutes of Execution of Mataram District Court No:31/Pdt.G/2011/PN.MTR on Dec. 18. 2014; Calling to the dormitory dwellers in dispute to discuss the land emptying that has permanent legal force in the building of Sasanan Dharma Regional Police of NTB; Conducted the NTB Regional Police Chief Meeting with Members of the Indonesian National Police and Civil Servants who occupied the Bamboo Runcing Dormitory, 25 November 2014 attended by key officials, police chiefs, Mataram District court clerks, Mataram officials, Telkom Mataram officials, who were located Rupert Ops NTB Regional Police Chief; Giving compassion (to residents of full-fledged Indonesian police dormitories in disputes about "sharp bamboo land"; held by the Regional Police of West Nusa Tenggara: No. 3329 K/PDT/2012; No. 31/PDT.G/2011/PN.MTR; No. 48/PDT/2012/PT.MTR.

Keywords: *dispute resolution, post judge decision, bambu Runcing*

### I. Introduction

Land is a very basic human need. Humans live and do activities on the ground so that every time humans are always in touch with the land, it can be said that almost all human activities, both directly and indirectly, always need land. Land also has an important meaning for the life of the Indonesian nation. Juridical land tenure is based on rights, which are protected by law and generally authorize the right-holders to physically control the land being hijacked. The LoGA has regulated and stipulated the hierarchy of land tenure rights in the National Land Law. By holding land registration, the parties to the dispute can easily find out the status or legal position of the land it faces, its location, extent, and boundaries, who has and what is on it. As mandated by Article 19 of the BAL.

The case of the Bambu Runcing land dispute, for example, occurred between holders of ownership rights (SHM) and the NTB Regional Police. SHM holders on behalf of 21 Indonesian Police retired residents of the West Nusa Tenggara Regional Police Boarding House dormitory. The dispute occurred when the Regional Police also showed evidence or historical facts that the disputed land from 1967-1969 was a police dormitory. Taman Sari, Ampenan Subdistrict, Mataram City is owned and controlled by the NTB Regional Police and has been listed in the State Property Inventory List (DIKMN).<sup>1</sup>

Even though it has received recognition in Indonesian legislation, the existence of a certificate of land rights has not guaranteed legal certainty for its holders because in its own regulations it provides opportunities for other parties who feel they own the land to sue the National Land Agency BPN / Head of the relevant Land

<sup>1</sup> PN. Mataram 31/PDT.G/2011/PN.MTR, March 23, 2011

Office to Administrative Court. The Bambu Runcing land dispute between SHM holders and West Nusa Tenggara Regional Police finally arrived at the court. In Decision Number 31/Pdt.G/2011/PN.MTR in Mataram District Court and confirmed Decision Number 48/Pdt.G/2012/Pt.Mtr. June 14, 2012 at the Mataram High Court, and the civil court case decision No.3329.K/PDT/2012 at the Supreme Court of the Republic of Indonesia won the NTB Regional Police. The panel of judges stated that all kinds of letters made or issued by Defendants (SHM holders/retired National Police) or other parties caused the plaintiffs (in this case the NTB Regional Police) to lose their land rights over the object of the dispute which was declared not legally binding. With the court decision, all letters, including certificates of ownership of land held by the defendant, were declared not to have legal force so that the Defendants lost their rights to the land of the object of the object.

## I. Research Method

Based on the description above, the main problem in this article is how to settle state land disputes that are certified after the Judge's Decision (The Study of Land Disputes Bambu Runcing).

This type of research is normative-empirical legal research. What is meant by applied law research is research that uses normative-empirical legal case studies in the form of legal behavior products.<sup>2</sup> Normative-empirical (applied) legal research starts from written positive legal provisions that apply to the legal events in concreto in society, so that in his research there is always a combination of two stages of study, namely:<sup>3</sup> The first stage is the study of applicable normative laws; and the second stage is the application of the in concreto event to achieve the stated objectives.

To discuss the problems contained in this thesis the author uses a normative juridical approach and empirical jurisdiction. According to Amiruddin and Zainal Asikin<sup>4</sup>, The normative juridical approach is a normative juridical analysis which essentially emphasizes the deductive method as the main handle and the inductive method as the supporting work procedure by using library materials as a research data source. The legal approach used is, namely the legal approach), and the Conceptual Approach<sup>5</sup> and case approach.<sup>6</sup> Then to facilitate this research, the required data are primary legal materials, secondary legal materials, and tertiary legal materials.<sup>7</sup> The legal materials are obtained through library research and interviews. Furthermore, it is analyzed by describing and reviewing library data and field data in the form of statements or words carefully and systematically, using deductive methods, where in this way will be discussed problems that are general in nature towards things that are specific which aims to facilitate the compiler to draw a conclusion and provide advice in writing this scientific paper.

## II. Result And Discussion

### 2.1 Basis for Resolving Post-Judge Dispute Resolution

As we have understood so far in the judiciary in resolving a dispute has been implemented and there has been a development of an institution of peace (dading) ex Article 130 HIR or Article 154 Rbg, which in this case in Indonesia has been philosophically outlined in Pancasila which implies that dispute resolution is carried out with the principle of deliberation to reach consensus, which has been implied in the constitutional foundation of the 1945 Constitution.

Furthermore, this peace institution is empowered based on SEMA Number 1 of 2002 concerning Empowerment of the First Level Courts to implement a peaceful institution, which requires that every Judge

---

<sup>2</sup> Abdulkadir Muhammad, 2004, *Hukum dan Penelitian Hukum*, Mold 1, Citra Aditya Bakti, Bandung, p. 52.

<sup>3</sup> *Ibid.*

<sup>4</sup> Amiruddin and Zainal Asikin, *Pengantar Metode Penelitian Hukum*, 8<sup>th</sup> Printing, Rajawali pers, Jakarta, 2014, p. 163.

<sup>5</sup> Amiruddin & Zainal Asikin, *Pengantar Metode Penelitian Hukum (Revision edition)*, Rajawali Pers, Jakarta, 2016, p. 164

<sup>6</sup> Fajar Muchti dan Yulianto Achmad, *Dualisme Penelitian Hukum Normatif & Empiris*, Pustaka Pelajar, Yogyakarta, 2009, p. 185-192.

<sup>7</sup> *Ibid.*, p. 155.

in his duty to receive, examine and adjudicate a dispute must strive to truly create peace for both parties to the dispute; because with the creation of peaceful efforts many advantages and disadvantages that can be obtained include:

1. Time efficiency;
2. Cost efficiency;
3. Adversary where the proceedings in the court of both parties have the opportunity to attack each other;
4. The procedure for proceedings at the Court is very strict, so that it often results in the restraint of freedom of the parties or principal;
5. Because of the strictness of the court proceedings, it opens opportunities for the parties to give their attorney the power of attorney with all kinds of risks, sometimes the legal advisor does not understand what the client wants;
6. With a peace institution, no one loses, and no one wins, there is a win-win condition;
7. With proceedings at the Court, a condition for the destruction of family relations for the parties will be created;
8. Can cause new conflicts among parties;<sup>8</sup>

According to the Big Indonesian Dictionary, a dispute is something that causes differences of opinion, quarrels, disputes, disputes, disputes, cases. The word dispute, in English is the same as “conflict” or “dispute”. Dispute or conflict of essence is a form of actualization of the existence of differences in interests between the two parties or more. The vocabulary “conflict” in Indonesian is absorbed into conflict, while the vocabulary “dispute” is translated by the word dispute. A conflict, namely a situation where two parties or more confronted with differences of interests, will not develop into a dispute if the party who feels disadvantaged only harboured dissatisfaction or concern. A conflict changes or develops into a dispute when the party who feels aggrieved has, expressed his dissatisfaction or concern, both directly and to the party that is considered the cause of the loss or other parties.

According to Komar Kantaatmaja as quoted by Huala Adolf in his book entitled International Commercial Arbitration, the means for resolving disputes can be categorized into three, namely:

1. Settlement of disputes by using Negotiations, whether done directly or by involving a third party (Mediation and Conciliation);
2. Settlement of disputes in litigation (through courts) both national and international;
3. Settlement of disputes by using arbitration, both ad hoc and institutionalized arbitration.

Mediation is a way of resolving disputes through the negotiation process to obtain the agreement of the Parties assisted by the Mediator. The mediator is a judge or other party who has a mediator certificate as a neutral party that assists the Parties in the negotiation process to find various possibilities for dispute resolution without using the means of deciding or imposing a settlement.

As a proof or historical fact that the disputed land from 1967-1969 was a Police dormitory Repuk Tong Bambu Runcing located in Jalan Majapahit Lingkungan Taman Seruni, Kel. Taman Sari, Kec. Ampenan Kota Mataram is owned and controlled by the Plaintiff, whose use was inaugurated on January 17, 1969, and has been designated as a State asset cq Polri cq NTB POLDA / Plaintiff's property, as officially registered in the State Property Inventory List (DIKMN), registration number. 51122301 dated November 1, 1981 and has been recorded in the State Wealth Inventory List (DIKN) in the Dep Inventory Book. Défense and Security cq Polri cq Polda NTB, registration number. 61626152 dated December 1, 1992, so that it was not the housing of retired individuals of the Indonesian National Police or the community.

---

<sup>8</sup> Nurnaningsih Amriani, *Mediasi Alternatif Penyelesaian Sengketa Perdata di Pengadilan*, Jakarta: PT Rajagrafindo Persada, 2011, p. 14 – 18.

As evidenced by the West Lombok Police Chief's Letter addressed to the Head of the Mataram City Land Office on 11 September 1992 with Letter No. Pol. : B / 1406 / IX / 1992 / Logistics and Register of State Property Inventory (DIKMN) Register Number: 51122301 dated November 1, 1981 and Ministry of defence Ministry's Defence Wealth Register (DIKN) Register No. 61626152 dated December 1, 1992, with proof of the contents of the letter, namely:

#### Land Data:

##### 1. Identification Data (Identification).

- a. Registration Number : 51122301
- b. User Union

2. Kotama/Laksus : Kodak XI Nusra

3. Unity : Kores 1111 Lobar  
Satyanis : Region Matbekum Kodak XI Nusra

##### 4. Location :

Dati I : NTB Province

Dati II : Kabupaten Lobar

sub-district : Ampenan

Village : Ampenan Selatan

Address : Jalan Ekas (now Jl. Majapahit).

Name of Land Unity : Repuk Tonggak Bambu Runcing.

##### 5. Technical Data

###### a. Land Category

Group : Building

Function : Building

b. Land status : Mastered and Owned

c. Ownership origin : Grant.

d. Proof of ownership : Submission

e. Year of ownership : 1968

f. Soil conditions : Flat

g. Usage : Building

h. Estimated price : Rp. 44.200.000,-

#### Building Data

##### a. Identifier Data (Identification).

1) Registration Number : 51122301

2) User Union : Kotama/Laksus, Kodak XI Nusra

b. Unity : Kores 1111 Lobar

Satyanis : Bagian Matbekum Kodak XI Nusra

##### Location :

Dati I : Propinsi NTB

Dati II : Kabupaten Lobar

Sub-District : Ampenan

Village1 : Ampenan Selatan

- Address : Jalan Ekas (sekarang Jl. Majapahit).  
 Name of Land Unity : Repuk Tonggak Bambu Runcing
- c. Technical Data:
- 1) Building Category
    - Group : Gedung
    - Funtion : Rumah dinas
    - Class : II.A-2
    - Designation : Family Dormitory
  - 2) Status : Owned and controlled
  - 3) Year of manufacture :1968
  - 4) Year of ownership :1968
  - 5) Year of use :1968
  - 6) Building area (Floor plan)
    - Real area : 84
    - Original area : 84
    - Floor area : 90
  - 7) Types of construction : Semi Permanent
  - 8) Building Completeness
    - Electricity : P L N
    - Water : Ordinary wells
  - 9) The price of procuring estimates : Rp. 1.680.000,-
  - 10) Reporting year : November 1981.

The issuance of the above SHM caused a dispute between the West Nusa Tenggara Regional Police and the retired National Police community residents of the West Nusa Tenggara Regional Police Board with evidence of a civil case number: 5 / PDT.G / 2010 / PN.MTR dated January 14, 2010 concerning the State assets cq Polri NTB is in the form of land and buildings known as the Polri Dormitory Repuk Tong Bambu Bambu pointed at Jl. Majapahit, South Ampenan Subdistrict, Mataram which is owned / controlled against the law by retired Polri.

Ownership Certificate (SHM) which is already owned by the residents of the Indonesian Police Boarding House Repuk Tonggak Bambu Runcing Jl. Majapahit, South Ampenan Village, is as follows:

1. No. SHM 1556 November 12, 1990, Picture of Situation on March 6, 1989 No: 1011/1989, area of 510 m<sup>2</sup>, state marker ALEXANDER KOE
2. No. SHM 1633 April 20,1992, Picture of Situation dated March 7, 1991 No: 646/1991, 226 m<sup>2</sup> wide, state public bookmark, a / n CH. TAKU
3. No. SHM 1553 October 8, 1990, Picture of Situation dated March 4, 1989 No: 924/1989, area 413 m<sup>2</sup>, state public guarantor, MASTOER.
4. No. SHM 1640 dates June 22, 1992, Picture of Situation on April 1, 1991 No: 713/1989, area of 239 m<sup>2</sup>, state marker a / n IDA BAGUS SUWETHA;
5. No. SHM 1667 September 1, 1992, Situation Picture December 7, 1990 No: 2374/1990, 205 m<sup>2</sup> area of state public guarantor, B.Z.A. MADJID
6. No. SHM 3828 November 26, 2004, Situation Image on November 10, 2004 No: 1028/AMS/2004, bookmark the state, 329 m<sup>2</sup>, a / n I. GUSTI PUTU ARKA.

7. No. SHM 3929 November 26, 2004, Measurement Letter dated November 10, 2004, No: 1030/AMS/2004, Registration of Registration 208 No. 6357, an area of 300 m2 a/n. GUSTI NGURAH ADRIAWAN
8. No. SHM 3931 November 26, 2004, Letter of Acceptance. November 10, 2004 No: 1032/AMS/2004, Signatory for Registration 208 No. 6359, area of 102 m2 a/n AMINAH
9. SHM No. 3932 November 26, 2004, Letter of Acceptance. November 10, 2004 No: 1031/AMS/2004, Signatory for Registration 208 No. 6360, area of 241 m2 a/n AMINAH;
10. No. SHM 3931 November 26, 2004, Letter of Acceptance. November 10, 2004 No: 1032/AMS/2004, Signatory for Registration 208 No. 6359, area 102 m2 a/n ALIAMAN LIBERATUS;
11. No. SHM 3930 November 26, 2004, Letter of Acceptance. November 10, 2004 No: 1029/AMS/2004, Appendix to Registration 208 No. 6358, 217 m2 wide a/n TRIYONO BUDI SANTOSO;
12. No. SHM 1545 September 22, 1990, Situasi tgl Picture. April 13, 1989 No: 1759/1989, State Administrative Court, 265 m2 area a/n MURSIP (guaranteed at Bank Mandiri);
13. No. SHM 1554 dated October 8, 1990, Picture of situation on April 13, 1989 No: 1760/1989 Indicator of ex-state land, area 238 m2 a/n Dra. BUSYRAH MILAWATI.
14. No. SHM 3542 dated 13 February 2002, Letter of Acceptance. 17 May 2001 No: 473/AMS/2001, Indicator of customary land, an area of 435 m2 a/n SOEKARNO;
15. No. SHM 3525 dated 13 February 2002, Letter of Acceptance. May 17, 2001 No: 474/AMS/2001, Indicator of customary land, an area of 232 m2 a/n M. FATE;
16. No. SHM 2639 April 18, 1996, Letter of Acceptance. May 17, 2001 No: 477/AMS/2001, Indicator of customary land, an area of 342 m2 a/n SUJATIN. (in Jamika at PT Bank Negara Indonesia);
17. No. SHM 3526 dated 13 February 2002, Letter of Acceptance. May 17, 2001 No: 475/AMS/2001, Indicator of customary land, an area of 188 m2 a/n HERU PRASTIYO (at the request at PT Bank Mandiri);
18. No. SHM 3527 February 13, 2002, Letter of Acceptance. May 17, 2001 No: 476/AMS/2001, Indicator of customary land, 193 m2 a / n I. WAYAN MARDIKA;
19. No. SHM 4290 dated September 26, 2006, Letter to Date. September 9, 2006 No: 1405/04/2006, Penunjuk comes from customary land No. 1544, an area of 257 m2 a / n I. WAYAN WIDJA;
20. 2No. SHM 3928 dated November 26, 2004, Letter of Reference. November 10, 2004 No: 1028 / AMS / 2004, Appendix 208 No. 6356, area of 329 m2 a/n. GUSTI PUTU ARKA.

With the SHM created by retired Polri officers in the NTB Regional Police dormitory, the NTB Regional Police sent a letter to the BPN to the Head of the National Land Agency for the process of transferring rights to land parcels as SHM described in letters a to t, because as the object of a number civil court suit. 5/PDT.G/2010/PN.MTR in Class I.A. District Court. Mataram until there is a decision that has permanent legal force.

Decision Number 31/Pdt.G/2011/Pn.Mtr and Decision Number 48/Pdt.G/2012/Pt.Mtr and Decision of the Supreme Court of the Republic of Indonesia Number: 3329.K/PDT/2012, June 18, 2013 the basis of the judge ruled out SHM evidence because:

Civil cases against the law Number. 31/PDT.G/2011/PN.MTR dated March 23, 2011 over the assets of the broad NTB Regional Police + 6,250 m2, located on Jalan Majapahit, Environment of Seruni Park, Taman Sari Village, Ampenan District, Mataram City, at the discretion of the PN Judge Council. Mataram, the Defendants' exception and answer to the claim of the Plaintiff/Regional Police of NTB cannot be accepted, the witnesses submitted by the Plaintiff/Regional Police of NTB can be considered, and the evidence submitted by the Plaintiff / Regional Police of NTB can be considered in part, the conclusions of the Panel of Judges PN. Mataram, the certificates submitted by the Defendants did not meet the requirements and procedural completeness, so that they were null and void, the Plaintiff's Claims Objects could be granted

(object of claim in the form of land area of + 6,250 m<sup>2</sup>), the Defendants' actions were illegal and the certificates submitted by the Defendants are not procedural and do not have legal force, so the claim of the Plaintiff / Regional Police of West Nusa Tenggara is partially granted (so that the claim for compensation and confiscation of guarantee is not granted).

- a) Partially grant the claim of the Plaintiff / Regional Police of NTB (so that the claim for compensation and confiscation is not granted),
- b) States that the actions of the Defendants who control and own the land in dispute are illegal.
- c) Punish Defendants for clearing the dispute land and submitting it to the NTB Plaintiff/ Regional Police, if necessary to use law enforcement officers.
- d) Punish the Defendants for paying court fees jointly.

The relevance of the theory used by the author is the conflict resolution strategy theory developed by Dean G Pruitt and Jeffrey Z. Rubin. The theory of conflict based on strategy is a theory that sees conflict from ways or strategies to end or resolve conflicts or disputes that occur in society. There are four strategies in resolving disputes/conflicts, namely as follows:

- a) Contending, which is trying to implement a solution that is preferred by one party to the other.
- b) Yielding, namely lowering one's own aspirations and being willing to accept less than what is desired. Each party is willing to accept less than they want to reach an agreement that is acceptable to both parties. Yielding does create a solution, but it is not a high-quality solution.
- c) Problem Solving (problem solving), which is looking for alternatives that satisfy the aspirations of both parties.
- d) With Drawing (withdrawal), which is choosing to leave a conflict situation, both physically and psychologically. Withdrawing involves neglecting controversy, while in the other three strategies there are efforts to deal with conflicts that are different from each other.

In this case, the police have tried to make peace by calling on the relevant parties to carry out peace by deliberation, mediating and providing solutions to this case by providing compensation for retired members of the national police who dispute or who control the land object of the dispute based on the SHM in a way that is against the law. Good faith efforts have been made but EKS. The police still do not want the dispute resolution path through deliberation. In the end, the NTB Regional Police made a legal effort with the results of the case at the Mataram District Court, the Mataram High Court and the Supreme Court won the NTB Regional Police in the NTB Regional Police's Renpuk Bambu Runcing case.

Based on the results of interviews with the author, Lalu Aspari as the technical executor of the West Nusa Tenggara Province national agency at the Mataram City BPN office related to the forms of land use including administrative disputes, transitional disputes, technical land tenure, then land dispute resolution through mediation, technically conduct a study of formal physical and data data on disputed land, then make a factual check on the field whether it has been delegated to the BPN or to court, the Land Agency is the institution that issues all certificates about land so that the BPN has the capacity to find solutions instead take on policy. Thus the presence of the National Land Agency is one of the institutions that explain related to the issuance of certificates on land. As for the efforts made by the BPN in the city of Mataram in the event of a land dispute or land dispute, the Mataram City BPN calls on the parties to settle the related legal documents relating to formal legal ownership of the land.

### *3.2 Process of Execution of Post-Decision dispute resolution*

Dispute resolution after the judge's decision was made by the NTB Regional Police to the residents of the NTB Regional Police Boarding House by inviting NTB Regional Police dormitory residents to hold a meeting regarding the settlement of disputes over land and building cases at the Sharp Bamboo Police Dormitory (in kracht) won by the Plaintiff (NTB Regional Police) and Plaintiff (NTB Regional Police)

through the Mataram District Court and will execute the intended land object, on the basis of the Referral of Mataram District Court Decision Number: 31/Pdt.G/2011/PN.MTR 16 November 2011, in conjunction with the Decision of the High Court Number: 48/PDT/2012/PT.MTR, dated June 14, 2012, in conjunction with the Decision of the Supreme Court of the Republic of Indonesia Number: 3329.K/PDT/2012, June 18, 2013. The legal efforts made by the NTB Regional Police in a written way filed a request for the execution of number: R/22/IX/2014 / Bidkum on 23 September 2014, that:

1. Fill in the letter: request for execution of MA Decision number: 3329/K/PDT/2012 dated June 18, 2013 to the chairman of the Mataram District Court.
2. Relevance to the case: as evidence that an application has been made to the chairman of the Mataram District Court to carry out the contents of the Supreme Court's decision on June 18, 2013 number: 3329/K/PDT/2012 which has permanent legal force (inkracht Van gewisjde).
3. Letter of Request for Rescheduling Reschedule Number R/30/XI/2014/Bidkum November 27, 2014 where:
  - a) Contents of the letter: request for rescheduling the execution of Supreme Court verdict number: 3329/K/PDT/2012 dated June 18, 2013 to the chairman of the state justice court
  - b) Relevance with the case: as evidence that a rescheduling request has been made for the execution of the Supreme Court's decision on June 18, 2013 number: 3329/K/PDT/2012 which has permanent legal force (inkracht Van gewisjde). To the chairman of the Mataram District Court.
4. Minutes of Execution of the Mataram District Court Number: 31/Pdt.G/2011/PN.MTR dated 18 December 2014.

Contents of the Letter: to carry out the execution of evacuation of the object of the dispute in the form of a plot of land covering an area of 0. 625 Ha (6,250 m<sup>2</sup>) class II Pipil no. 111, parcel no. 25 which is located in the Taman Sari neighborhood, kel. Ampenan, Mataram city, according to the decision of the Mataram District Court Number: 31/Pdt.G /2011/PN.MTR, Jo Decision of the High Court Number: 4/PDT/2012/PT.MTR, dated June 14, 2012, jo Decision of the Republic of Indonesia Supreme Court Indonesia Number: 3329.K/PDT/2012, dated June 18, 2013. The NTB Regional Police have made efforts to inform them by:

1. Summons to the dormitory dwellers who are in dispute to discuss the land emptying that has permanent legal force in the sasanan darma building in the West Nusa Tenggara Regional Police.
2. Conducted NTB Regional Police Chief Meeting with National Police and Civil Servants who occupied the Bamboo Runcing Dormitory on Tuesday, November 25, 2014. At 9:30 a.m. until the end of the meeting, attended by key officials, police chiefs, court clerks, marathon officials, pln mataram, Mataram telkom official, which took place at Rupert Ops, North Sumatra Regional Police Chief.
3. Notification of bamboo runcig dormitory residents related to land clearing that was won by the NTB Regional Police based on:
  - a. The Notice of Cassation Decision to the Respondent's Legal Attorney Notification Number: 31/Pdt.G/2011/PN. MTR dated April 15, 2014 concerning the contents of the decision of the Supreme Court of Indonesia dated June 18, 2013, Number: 3329 K/PDT/2012 which reads "Refusing a cassation request from the First Cassation Appellant and Cassation Applicant II";
  - b. The decision of the Mataram District Court dated November 23, 2011, Number: 31/PDT.G/2011/PN.MTR;
  - c. The decision of the Mataram High Court on June 14, 2012, Number: 48/PDT/2012/PT. MTR.
  - d. In connection with the foregoing, together with this is conveyed to CASE CASE APPLICANTS and CASATION APPLICANTS II as the names are explained according to the attached address list, to immediately vacate the location of the Gotong Royong Bambu Runcing Housing Land of



Seruni Park, Taman Sari Village, Ampenan District -Kota Mataram, because it will be executed by the Mataram District Court based on the Relas of Notification of the Cassation Decision to the Attorney in Law of the Cassation Number: 31 / Pdt.G / 2011 / PN. MTR on April 15, 2014.

4. **Command Letter** to the Polda work unit to carry out executions based on DIPA Spim TA. 2014, Rengiat Bidkum Polda NTB TA. 2014; Case Cassation Number: 3329 K/PDT/2013 dated June 18, 2013 boarding house of the Police “Repek Bamboo Tapered Milestone” and/or known “Gotong Royong Bambu Runcing Housing” located on Jalan Majapahit Lingkungan Seruni Park Taman Sari Village Ampenan City District Mataram Province of NTB; and Relas Notification of Cassation decision Number: 31/PDT.G/2011/PN.MTR dated 15 April 2014 on behalf of I Gusti Putu Arka, et al/the Cassation Appellants.
  - a. That in order to carry out the execution of the assets of the NTB Regional Police in the form of land with an area of + 5,815 m<sup>2</sup> and a building of 5 (five) couplings or 10 (ten) housing units in the police dormitory “Repek Tong Bambu Runcing” and / or known as “Rotong Royong Bamboo Housing” located on Jalan Majapahit Lingkungan Seruni Park Taman Sari Village Ampenan Subdistrict, Mataram City, NTB Province, it is deemed necessary to issue a warrant.
  - b. Jointly or individually acting for and on behalf of the West Nusa Tenggara Regional Police (Polda NTB) representing the execution of the assets of the NTB Regional Police in the form of land with an area of + 5,815 m<sup>2</sup> and buildings of 5 (five) couplets or 10 (ten) housing units in the Polri dormitory “Repek the Point of Bamboo Point” located on Jalan Majapahit Lingkungan Seruni Park Taman Sari Village Ampenan District, Mataram City, NTB Province;
  - c. Carry out this command carefully and with full responsibility.
5. Carry out joint execution in the disputed area by involving local authorities with a sense of responsibility by maintaining common order and security.
6. Giving compassion (compensation) to residents of retired dormitories in disputes about “Bambu Runcing land”.

The above efforts, as the basis of the Regional Police in carrying out executions at the disputed land location to the residents of the NTB Regional Police dormitory to hold a meeting regarding emptying of land won by the Regional Police (saving assets of the State NTB Regional Police), resolving disputes over land matters the building of the Sharp Bamboo Police Dormitory which has obtained permanent legal force and continues to make compensation efforts to retired Polri as a form of humanity and responsibility towards the residents of the pointed bamboo dormitory who are none other than retired police officers.

### **III. Conclusion**

Legal efforts carried out by the NTB Regional Police by written methods include:

- a. Applying for the execution of number: R/22/IX/2014/Bidkum on 23 September 2014.
- b. Letter of request for Execution Rescheduling Number R/30/XI/2014/Bidkum dated 27 November 2014.
- c. Minutes of Execution of the Mataram District Court Number: 31/Pdt.G/2011/PN.MTR dated 18 December 2014
- d. Summons to the dormitory dwellers in dispute to discuss the land emptying that has permanent legal force in the sasanan darma building in the West Nusa Tenggara Regional Police.
- e. Conducted a meeting of the NTB Regional Police Chief with Members of the Indonesian National Police and Civil Servants who occupied the Bamboo Runcing Dormitory on Tuesday, November 25, 2014. At 9:30 the time was finished, attended by the main officials, the police chief, the court clerk of

- the district court, the military commander, Mataram telecom official, who took place at Rapat Ops, North Sumatra Regional Police Chief.
- f. Giving compassion (compensation) to residents of retired police dormitories in disputes about “sharp bamboo land”.
  - g. Notification of the bamboo runcig dormitory residents related to land clearing that was won by the NTB Regional Police based on:
    - 1) Class Notification of Cassation Decision to the Respondent's Legal Counsel Number: 31/Pdt.G/2011/PN. MTR dated April 15, 2014 concerning the contents of the decision of the Supreme Court of Indonesia dated June 18, 2013, Number: 3329K/PDT/2012 which reads “Refusing a cassation request from the First Cassation Appellant and Cassation Applicant II”;
    - 2) Decision of the Mataram District Court on November 23, 2011, Number: 31/PDT.G/2011/PN.MTR;
    - 3) Decision of the Mataram High Court on June 14, 2012, Number: 48/PDT/2012/ PT. MTR.
  - h. Submitting to CASE CASE APPLICANTS and CASATION APPLICANTS II as the names are explained according to the attached list of addresses (residents of sharp Bamboo dormitories / Retired National Police), to immediately vacate the location of the Gotong Royong Bambu Runcing Housing Land of Seruni Park, Taman Sari Village, Ampenan District -Kota Mataram, because it will be executed by the Mataram District Court based on the Relaaas of Notification of the Cassation Decision to the Attorney in Law of the Cassation Number: 31/Pdt.G/2011/PN. MTR on April 15, 2014.
  - i. Warrant to the Polda work unit to carry out executions based on DIPA Spim TA. 2014, Rengiat Bidkum Polda NTB TA. 2014; Case Cassation Number: 3329 K/PDT/2013 dated June 18, 2013 boarding house of the Police “Repek Bamboo Tapered Milestone” and / or known “Gotong Royong Bambu Runcing Housing” located on Jalan Majapahit Lingkungan Seruni Park Taman Sari Village Ampenan City District Mataram Province of NTB; and Relaaas Notification of Cassation decision Number: 31/PDT.G/2011/PN.MTR dated 15 April 2014 on behalf of I Gusti Putu Arka, et al / the Cassation Appellants.
  - j. That in order to carry out the execution of the assets of the NTB Regional Police in the form of land with an area of + 5,815 m2 and a building of 5 (five) couplings or 10 (ten) housing units in the police dormitory “Repek Tong Bambu Runcing” and / or known as “Rotong Royong Bamboo Housing” located on Jalan Majapahit Lingkungan Seruni Park Taman Sari Village Ampenan Subdistrict, Mataram City, NTB Province, it is deemed necessary to issue a warrant.
  - k. Jointly or individually acting for and on behalf of the West Nusa Tenggara Regional Police (Polda NTB) representing the execution of the assets of the NTB Regional Police in the form of land with an area of + 5,815 m2 and buildings of 5 (five) couplets or 10 (ten) housing units in the Polri dormitory “Repek the Point of Bamboo Point” located on Jalan Majapahit Lingkungan Seruni Park Taman Sari Village Ampenan District, Mataram City, NTB Province;
  - l. Carry out this command carefully and with full responsibility.
  - m. Joint execution in disputed areas by involving local authorities with a sense of responsibility by maintaining order and security together.

## References

- [1] Abdulkadir Muhammad. 2004. *Hukum dan Penelitian Hukum*. Mold 1. Citra Aditya Bakti, Bandung.
- [2] Amiruddin and Zainal Asikin. 2014. *Pengantar Metode Penelitian Hukum*. 8<sup>th</sup> Printing. Rajawali pers, Jakarta.
- [3] \_\_\_\_\_, 2016. *Pengantar Metode Penelitian Hukum (Revision edition)*. Rajawali Pers, Jakarta.

- [4] Fajar Muchti and Yulianto Achmad. 2009. *Dualisme Penelitian Hukum Normatif & Empiris*. Pustaka Pelajar, Yogyakarta.
- [5] Nurnaningsih Amriani. 2011. *Mediasi Alternatif Penyelesaian Sengketa Perdata di Pengadilan*. PT Rajagrafindo Persada, Jakarta.
- [6] Republic of Indonesia Law no. 5 of 1960 concerning basic regulations on agrarian matters. Promulgated on September 24, 1960 State Secretary.
- [7] Perma RI No. 1 of 2016 concerning Procedure for mediation in PN courts. Mataram 31 / PDT.G / 2011 / PN.MTR dated March 23, 2011