



Direktori Putusan Mahkamah Agung Republik Indonesia
putusan.mahkamahagung.go.id

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Email : kepaniteraan@mahkamahagung.go.id Telp : 021-384 3348 (ext.318)



Error was encountered

Severiyutusanmahkamahagung.go.id

Message: Undefined offset: 1

Filename: abt/Anonimisasi.php

Line Number: 128

Backtrace:

File: /var/www/html/aps_badilag/application/models/abt/Anonimisasi.php

Line: 128

Function: _error_handler

File: /var/www/html/aps_badilag/application/models/abt/Anonimisasi.php

Line: 51

Function: explode_alamat

File: /var/www/html/aps_badilag/application/controllers/Abt.php

Line: 693

Function: upload_putusan

File: /var/www/html/aps_badilag/application/controllers/Abt.php

Line: 46

Function: html_anonim

File: /var/www/html/aps_badilag/application/controllers/Abt.php

Line: 63

Function: page

File: /var/www/html/aps_badilag/index.php

Line: 315

Function: require_once

{\rtf1\adefflang1025\ansi\ansicpg1252\uc1\adeff39\deff0\stshfdbch31505\stshfloch31506\stshfhich31506\stshfbi0\deflang1033\deflangfe1033\themelang1033\themelangfe0\themelangcs0{\fonttbl{\f0\fbidi\froman\fcharset0\frpq2{*\panose 02020603050405020304}Times New Roman;}{\f1\fbidi\fswiss\fcharset0\frpq2{*\panose 020b06040202020204}Arial;}{\f3\fbidi\froman\fcharset2\frpq2{*\panose 05050102010706020507}Symbol;}{\f3\fbidi\froman\fcharset2\frpq2{*\panose 05050102010706020507}Symbol;}{\f36\fbidi\fswiss\fcharset0\frpq2{*\panose 020f0302020204030204}Calibri Light;}{\f37\fbidi\fswiss\fcharset0\frpq2{*\panose 020f0502020204030204}Calibri;}{\f39\fbidi\froman\fcharset0\frpq2{*\panose 02040503050406030204}Cambria;}{\flomajor\fbidi\froman\fcharset0\frpq2{*\panose 02020603050405020304}Times New Roman;}{\fdbmajor\fbidi\froman\fcharset0\frpq2{*\panose 02020603050405020304}Times New Roman;}{\fhimajor\fbidi\fswiss\fcharset0\frpq2{*\panose 020f0302020204030204}Calibri Light;}{\fbimajor\fbidi\froman\fcharset0\frpq2{*\panose 02020603050405020304}Times New Roman;}{\flominor\fbidi\froman\fcharset0\frpq2{*\panose 02020603050405020304}Times New Roman;}{\fdbminor\fbidi\froman\fcharset0\frpq2{*\panose 02020603050405020304}Times New Roman;}{\fhiminor\fbidi\fswiss\fcharset0\frpq2{*\panose 020f0502020204030204}Calibri;}{\fbiminor\fbidi\froman\fcharset0\frpq2{*\panose 02020603050405020304}Times New Roman;}{\f40\fbidi\froman\fcharset238\frpq2 Times New Roman CE;}{\f41\fbidi\froman\fcharset204\frpq2 Times New Roman Cyr;}{\f43\fbidi\froman\fcharset161\frpq2 Times New Roman Greek;}{\f44\fbidi\froman\fcharset162\frpq2 Times New Roman Tur;}{\f45\fbidi\froman\fcharset177\frpq2 Times New Roman (Hebrew);}{\f46\fbidi



{\froman\fcharset178\fpqr2 Times New Roman (Arabic);} {\f47\fbidi \froman\fcharset196\fpqr2 Times New Roman Baltic;} {\f48\fbidi \froman\fcharset163\fpqr2 Times New Roman (Vietnamese);} {\f50\fbidi \fswiss\fcharset238\fpqr2 Times New Roman CE;} {\f51\fbidi \fswiss\fcharset204\fpqr2 Arial Cyr;} {\f53\fbidi \fswiss\fcharset161\fpqr2 Arial Greek;} {\f54\fbidi \fswiss\fcharset162\fpqr2 Arial Tur;} {\f55\fbidi \fswiss\fcharset177\fpqr2 Arial (Hebrew);} {\f56\fbidi \fswiss\fcharset178\fpqr2 Arial (Arabic);} {\f57\fbidi \fswiss\fcharset186\fpqr2 Arial Baltic;} {\f58\fbidi \fswiss\fcharset163\fpqr2 Arial (Vietnamese);} {\f400\fbidi \fswiss\fcharset238\fpqr2 Calibri Light CE;} {\f401\fbidi \fswiss\fcharset204\fpqr2 Calibri Light Cyr;} {\f403\fbidi \fswiss\fcharset161\fpqr2 Calibri Light Greek;} {\f404\fbidi \fswiss\fcharset162\fpqr2 Calibri Light Tur;} {\f405\fbidi \fswiss\fcharset177\fpqr2 Calibri Light (Hebrew);} {\f406\fbidi \fswiss\fcharset178\fpqr2 Calibri Light (Arabic);} {\f407\fbidi \fswiss\fcharset186\fpqr2 Calibri Light Baltic;} {\f408\fbidi \fswiss\fcharset163\fpqr2 Calibri Light (Vietnamese);} {\f410\fbidi \fswiss\fcharset238\fpqr2 Calibri CE;} {\f411\fbidi \fswiss\fcharset204\fpqr2 Calibri Cyr;} {\f413\fbidi \fswiss\fcharset161\fpqr2 Calibri Greek;} {\f414\fbidi \fswiss\fcharset162\fpqr2 Calibri Tur;} {\f415\fbidi \fswiss\fcharset177\fpqr2 Calibri (Hebrew);} {\f416\fbidi \fswiss\fcharset178\fpqr2 Calibri (Arabic);} {\f417\fbidi \fswiss\fcharset186\fpqr2 Calibri Baltic;} {\f418\fbidi \fswiss\fcharset163\fpqr2 Calibri (Vietnamese);} {\f430\fbidi \froman\fcharset238\fpqr2 Cambria CE;} {\f431\fbidi \froman\fcharset204\fpqr2 Cambria Cyr;} {\f433\fbidi \froman\fcharset161\fpqr2 Cambria Greek;} {\f434\fbidi \froman\fcharset162\fpqr2 Cambria Tur;} {\f437\fbidi \froman\fcharset186\fpqr2 Cambria Baltic;} {\f438\fbidi \froman\fcharset163\fpqr2 Cambria (Vietnamese);} {\flomajor\f31508\fbidi \froman\fcharset238\fpqr2 Times New Roman CE;} {\flomajor\f31509\fbidi 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Baltic;}{\fhminor\font31576\fbidi \fswiss\charset163\fpqr2 Calibri (Vietnamese);}
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Times New Roman Greek;}{\fbminor\font31582\fbidi \froman\charset162\fpqr2 Times New Roman Tur;}
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5\green\blue255;\red255\green\blue0;\red255\green255\blue0;\red255\green255\blue255;\red\green\
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\ltrch\fcs0 \b\fs36\fs32 \sbasedon10 \slink1 \slocked Heading 1 Char;}{*\cs16 \additive \rtlch\fcs1
\ab\ai\af36\afs28 \ltrch\fcs0 \b\if36\fs28 \sbasedon10 \slink2 \slocked Heading 2 Char;}{*\cs17 \additive
\rtlch\fcs1 \ab\af36\afs26 \ltrch\fcs0 \b\fs36\fs26 \sbasedon10 \slink3 \slocked Heading 3 Char;}{\s18\ql
\li0\ri0\nowidctpar\wrapdefault\fauto\rin0\lin0\itap0 \rtlch\fcs1 \af1\afs24\alang1025 \ltrch\fcs0
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\fs22\lang1033\langfe1033\loch\f39\hich\af39\dbhch\af31505\cgrid\langnp1033\langfenp1033
\sbasedon0 \snext21 \slink22 Footer;}{*cs22 \additive \rtlch\fs1 \af0 \ltrch\fs0 \sbasedon10 \slink21
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\sbasedon0 \snext23 \slink24 Body Text Indent 2;}{*cs24 \additive \rtlch\fs1 \af0 \ltrch\fs0
\sbasedon10 \slink23 \slocked Body Text Indent 2 Char;}{\s25\ql
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\ltrch\fs0
\fs22\lang1033\langfe1033\loch\f39\hich\af39\dbhch\af31505\cgrid\langnp1033\langfenp1033
\sbasedon0 \snext25 \slink26 Body Text;}{*cs26 \additive \rtlch\fs1 \af0 \ltrch\fs0 \sbasedon10
\slink25 \slocked Body Text Char;}{\s27\ql
\li720\ri0\sa200\sl276\smult1\widctlpar\wrapdefault\faauto\rin0\lin720\itap0 \rtlch\fs1
\af37\afs22\alang1025 \ltrch\fs0
\fs22\lang1033\langfe1033\loch\f37\hich\af37\dbhch\af31505\cgrid\langnp1033\langfenp1033
\sbasedon0 \snext27 \sqformat List Paragraph;}{\s28\qj
\li476\ri426\sl360\smult1\widctlpar\wrapdefault\faauto\rin426\lin476\itap0 \rtlch\fs1
\ab\af39\afs32\alang1025 \ltrch\fs0
\b\fs32\lang1033\langfe1033\loch\f39\hich\af39\dbhch\af31505\cgrid\langnp1033\langfenp1033
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\li360\ri0\sa120\sl276\smult1\widctlpar\wrapdefault\faauto\rin0\lin360\itap0 \rtlch\fs1
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\fs16\lang1033\langfe1033\loch\f39\hich\af39\dbhch\af31505\cgrid\langnp1033\langfenp1033
\sbasedon0 \snext29 \slink30 Body Text Indent 3;}{*cs30 \additive \rtlch\fs1 \af0\afs16 \ltrch\fs0 \fs16
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\fs20\lang1033\langfe1033\loch\f39\hich\af39\dbhch\af31505\cgrid\langnp1033\langfenp1033
\sbasedon0 \snext31 Style 1;}{\s32\qj
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\ltrch\fs0
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\li0\ri0\sl480\smult1\widctlpar\wrapdefault\faauto\rin0\lin0\itap0 \rtlch\fs1 \ab\af39\afs24\alang1025
\ltrch\fs0 \b\fs24\lang1033\langfe1033\loch\f39\hich\af39\dbhch\af31505\cgrid\langnp1033\langfenp1033
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\b\fs36\fs32 \sbasedon10 \slink35 \slocked Title Char;}{\s37\qc
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\sbasedon10 \slink37 \slocked Subtitle Char;}{*cs39 \additive \rtlch\fs1 \ai\af0 \ltrch\fs0 \i
\sbasedon10 \sqformat Emphasis;}{*cs40 \additive \rtlch\fs1 \af0 \ltrch\fs0 \sbasedon10 Hulu KAR1;}{
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\additive \rtlch\fs1 \af0\afs22 \ltrch\fs0 \fs22 \sbasedon10 Badan Teks KAR1;}{*cs43 \additive
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\af0 \ltrch\fs0 \sbasedon10 Badan Teks KAR;}{*cs45 \additive \rtlch\fs1 \af0\afs20 \ltrch\fs0 \fs20
\sbasedon10 Header Char1;}{*cs46 \additive \rtlch\fs1 \af0 \ltrch\fs0 \sbasedon10 SubJudul KAR;}{
*cs47 \additive \rtlch\fs1 \ab\af0\afs32 \ltrch\fs0 \b\fs32 \sbasedon10 Tajuk 1 KAR1;}{*cs48
\additive \rtlch\fs1 \af0 \ltrch\fs0 \sbasedon10 Suku KAR;}{*cs49 \additive \rtlch\fs1 \ab\af0\afs32
\ltrch\fs0 \b\fs32 \sbasedon10 Judul KAR;}{*cs50 \additive \rtlch\fs1 \af0\afs22 \ltrch\fs0 \fs22
\sbasedon10 Karakter Karakter;}{*cs51 \additive \rtlch\fs1 \ab\af0\afs32 \ltrch\fs0 \b\fs32



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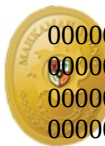
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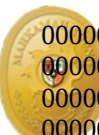
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{\fi850\li0\ri0\sl360\smult1\widctlpar\wrapdefault\faauto\rin0\lin0\itap0 {\rtlch\fc1\af1\afs24 \ltrch\fc0 \f1\fs24\insrsid7558187\charrsid3999456 Pengadilan Agama Pinrang yang memeriksa dan mengadili perkara dalam tingkat pertama, dalam sidang Hakim Tunggal, telah menjatuhkan penetapan dalam perkara Dispensasi Kawin yang diajukan oleh: \par } \pard \ltrpar\qj {\fi-2551\li3401\ri0\sl360\smult1\widctlpar\tx2268\tx3401\wrapdefault\faauto\rin0\lin3401\itap0 {\rtlch\fc1\ab\af1\afs24 \ltrch\fc0 \b\fi\fs24\insrsid7558187\charrsid3999456 PEMOHON 1} {\rtlch\fc1\af1\afs24 \ltrch\fc0 \f1\fs24\insrsid7558187\charrsid3999456 , tempat dan tanggal lahir Polewali, 29 November 1972, agama Islam, pekerjaan xxxxxxxx, pendidikan SLTA, tempat kediaman di KABUPATEN PINRANG, sebagai } {\rtlch\fc1\ab\af1\afs24 \ltrch\fc0 \b\fi\fs24\insrsid7558187\charrsid3999456 Pemohon I} {\rtlch\fc1\af1\afs24 \ltrch\fc0 \f1\fs24\insrsid7558187\charrsid3999456 ; \par } \pard \ltrpar\qj {\fi-2551\li3401\ri0\sl360\smult1\widctlpar\tx1701\tx3401\wrapdefault\faauto\rin0\lin3401\itap0 {\rtlch\fc1\ab\af1\afs24 \ltrch\fc0 \b\fi\fs24\insrsid7558187\charrsid3999456 PEMOHON 2} {\rtlch\fc1\af1\afs24 \ltrch\fc0 \f1\fs24\insrsid7558187\charrsid3999456 , tempat dan tanggal lahir xxxxxxxx, 21 Desember 1977, agama Islam, pekerjaan xxxxxx xxxxx xxxxxx, pendidikan SD, tempat kediaman di KABUPATEN PINRANG, sebagai } {\rtlch\fc1\ab\af1\afs24 \ltrch\fc0 \b\fi\fs24\insrsid7558187\charrsid3999456 Pemohon II} {\rtlch\fc1\af1\afs24 \ltrch\fc0 \f1\fs24\insrsid7558187\charrsid3999456 ; } {\rtlch\fc1\af1\afs24 \ltrch\fc0 \cs39\fi\fs24\insrsid7558187\charrsid3999456 \par } \pard \ltrpar\qj {\fi850\li0\ri0\sl360\smult1\widctlpar\wrapdefault\faauto\rin0\lin0\itap0 {\rtlch\fc1\af1\afs24 \ltrch\fc0 \f1\fs24\insrsid7558187\charrsid3999456 Pengadilan Agama tersebut; \par Telah membaca dan mempelajari berkas perkara; \par Telah mendengarkan keterangan para Pemohon, anak para Pemohon, calon suami anak para Pemohon dan kedua orang tua calon suami anak para Pemohon, serta telah memeriksa alat-alat bukti di persidangan. \par } \pard \ltrpar\qc {\li0\ri0\sb120\sa60\sl360\smult1\widctlpar\wrapdefault\faauto\rin0\lin0\itap0 {\rtlch\fc1\ab\af1\afs24 \ltrch\fc0 \cs39\b\fi\fs24\insrsid7558187\charrsid3999456 DUDUK PERKARA \par } \pard \ltrpar\qj {\fi850\li0\ri0\sl360\smult1\widctlpar\wrapdefault\faauto\rin0\lin0\itap0 {\rtlch\fc1\af1\afs24 \ltrch\fc0 \cs39\fi\fs24\insrsid7558187\charrsid3999456 Menimbang, bahwa para Pemohon dengan surat permohonannya tertanggal 04 Januari 2021 yang didaftarkan di Kepaniteraan Pengadilan Agama Pinrang pada tanggal tersebut dengan register perkara Nomor 4/Pdt.P/2021/PA.Prg, mengemukakan hal-hal sebagai berikut : \par {\listtext\pard\plain\ltrpar \rtlch\fc1\af0 \ltrch\fc0 \f1\insrsid7558187\charrsid3999456 1.\tab}} \pard \ltrpar\qj {\fi-360\li720\ri0\sl360\smult1\widctlpar\tx709\wrapdefault\faauto\ls3\rin0\lin720\itap0\pararsid3999456 {\rtlch\fc1\af1\afs24 \ltrch\fc0 \f1\fs24\insrsid7558187\charrsid3999456 Bahwa Pemohon I dan Pemohon II adalah suami isteri yang sah dan telah dikaruniai anak bernama: } {\rtlch\fc1\ab\af1\afs24 \ltrch\fc0 \b\fi\fs24\insrsid7558187\charrsid3999456 Siska binti Abdul Kadir} {\rtlch\fc1\af1\afs24 \ltrch\fc0 \f1\fs24\insrsid7558187\charrsid3999456 \par {\listtext\pard\plain\ltrpar \rtlch\fc1\af0 \ltrch\fc0 \f1\insrsid7558187\charrsid3999456 2.\tab} Bahwa Pemohon I dan Pemohon II bermaksud menikahkan anak kandung yang bernama } {\rtlch\fc1\ab\af1\afs24 \ltrch\fc0 \b\fi\fs24\insrsid7558187\charrsid3999456 Siska binti Abdul Kadir} {\rtlch\fc1\af1\afs24 \ltrch\fc0 \f1\fs24\insrsid7558187\charrsid3999456 , tempat tanggal lahir: xxxxxxxx A, 01 September 2004 (umur 16 \~tahun), agama Islam, pendidikan terakhir SMP, pekerjaan tidak ada, tempat kediaman di KABUPATEN PINRANG, dengan seorang laki-laki bernama } {\rtlch\fc1\ab\af1\afs24 \ltrch\fc0 \b\fi\fs24\insrsid7558187\charrsid3999456 Arfandi bin Sadir, } {\rtlch\fc1\af1\afs24 \ltrch\fc0 \f1\fs24\insrsid7558187\charrsid3999456 tempat tanggal lahir : xxxxxxxx A, 06 Desember 2001 (umur 19 tahun) agama Islam, pendidikan terakhir SMK, Pekerjaan Karyawan Perusahaan Roti Jordan Suppa, tempat kediaman di KABUPATEN PINRANG; \par {\listtext\pard\plain\ltrpar \rtlch\fc1\af0 \ltrch\fc0 \f1\insrsid7558187\charrsid3999456 3.\tab} Bahwa Pemohon I dan Pemohon II akan menikahkan anak kandung Pemohon I dan Pemohon II tersebut dengan seorang laki-laki bernama } {\rtlch\fc1\ab\af1\afs24 \ltrch\fc0 \b\fi\fs24\insrsid7558187\charrsid3999456 Asbar bin La Sakka} {\rtlch\fc1\af1\afs24 \ltrch\fc0 \f1\fs24\insrsid7558187\charrsid3999456 , dan telah memenuhi syarat-syarat untuk melaksanakan perkawinan baik menurut Hukum Islam, maupun menurut peraturan perundang-undangan yang berlaku kecuali syarat usia bagi anak Pemohon I dan Pemohon II karena belum mencapai usia 19 tahun sebagaimana UU No. 16 tahun 2019 pada pasal 7, sehingga ditolak oleh Kepala Kantor Urusan Agama xxxxxxxxxx xxxxxx, xxxxxxxxxx xxxxxxxx sebagaimana surat penolakan perkawinan secara tertulis Nomor: B-675/KUa.21.17.10/Pw.01/12/2020, tertanggal 28 Desember 2020,





Pemohon, calon suami anak para Pemohon serta kedua orang tua calon suami anak para Pemohon, dan mereka memberikan keterangan yang pada pokoknya sebagai berikut:

1. Bahwa anak yang dimintakan dispensasi kawin dan calon suaminya mengetahui dan menyetujui rencana perkawinan tersebut;

2. Bahwa kondisi psikologis dan kesehatan anak yang dimintakan dispensasi kawin dan calon suaminya dalam keadaan baik;

3. Bahwa anak yang dimintakan dispensasi kawin dan calon suaminya telah mempunyai kesiapan untuk melangsungkan perkawinan dan membangun kehidupan rumah tangga;

4. Bahwa tidak ada sama sekali paksaan psikis, fisik, seksual atau ekonomi terhadap anak dan atau keluarga untuk kawin atau mengawinkan anak;

5. Bahwa baik para Pemohon maupun kedua orang tua calon suami anak para Pemohon sama-sama berkomitmen untuk ikut bertanggungjawab terkait masalah ekonomi, sosial, kesehatan dan pendidikan anak dan calon suaminya.

6. Bahwa untuk membuktikan dalil-dalilnya, para Pemohon telah mengajukan alat bukti tertulis berupa:

1. Fotokopi Kartu Tanda Penduduk Republik Indonesia atas nama Pemohon I, (Abdul kadir) Nomor 6408042111720001, tanggal 24 Oktober 2018, bukti tersebut telah diperiksa oleh Hakim Tunggal, dicocokkan dengan aslinya, yang ternyata sesuai dengan aslinya dan telah dinazagelen, kemudian diberi kode (P.1) dan diberi tanggal dan paraf Hakim Tunggal;
2. Fotokopi Kartu Tanda Penduduk Republik Indonesia atas nama Pemohon II, (Nasri) Nomor 6408047112770008, tanggal 07 Oktober 2015, bukti tersebut telah diperiksa oleh Hakim Tunggal, dicocokkan dengan aslinya, yang ternyata sesuai dengan aslinya dan telah dinazagelen, kemudian diberi kode (P.2) dan diberi tanggal dan paraf Hakim Tunggal;
3. Fotokopi Kutipan Akta Nikah atas nama Pemohon I (Abdul Kadir) dan Pemohon II, (Nasri) Nomor 593/33/X/1997 Tanggal 23 Oktober 1997, yang dikeluarkan oleh Kantor Urusan Agama Kecamatan Palu barat, Kabupaten Donggala, bukti tersebut telah diperiksa oleh Hakim Tunggal, dicocokkan dengan aslinya, yang ternyata sesuai dengan aslinya dan telah dinazagelen, kemudian diberi kode (P.3) dan diberi tanggal dan paraf Hakim Tunggal;
4. Fotokopi Kartu Keluarga atas nama Abdul Kadir Nomor 6408040301072558 tanggal 21 Mei 2018, yang dikeluarkan oleh Kepala Dinas Kependudukan dan Catatan Sipil xxxxxxxxxx xxxxxxxx, bukti tersebut telah diperiksa oleh Hakim Tunggal, dicocokkan dengan aslinya, yang ternyata sesuai dengan aslinya dan telah dinazagelen, kemudian diberi kode (P.4) dan diberi tanggal dan paraf Hakim Tunggal;
5. Fotokopi Kutipan Akta Kelahiran atas nama Siska Nomor 8112/DIS/2010, tanggal 01 februari 2010, yang dikeluarkan oleh Kepala Dinas Kependudukan Catatan Sipil xxxxxxxxxx xxxxxxxx, bukti tersebut telah diperiksa oleh Hakim Tunggal, dicocokkan dengan aslinya, yang ternyata sesuai dengan aslinya dan telah dinazagelen, kemudian diberi kode (P.5) dan diberi tanggal dan paraf Hakim Tunggal;
6. Fotokopi Kartu Tanda Penduduk Republik Indonesia atas nama Arfandi Nomor 7315020612010002 , tanggal 03 November 2020, bukti tersebut telah diperiksa oleh Hakim Tunggal, dicocokkan dengan aslinya, yang ternyata sesuai dengan aslinya dan telah dinazagelen, kemudian diberi kode (P.6) dan diberi tanggal dan paraf Hakim Tunggal;
7. Fotokopi Kutipan Akta Kelahiran atas nama Arfandi Nomor 7315-LT-28112013-0030. tanggal 29 November 2013, yang dikeluarkan oleh Kepala Dinas Kependudukan Catatan Sipil xxxxxxxxxx xxxxxxxx, bukti tersebut telah diperiksa oleh Hakim Tunggal, dicocokkan dengan aslinya, yang ternyata sesuai dengan aslinya dan telah dinazagelen, kemudian diberi kode (P.7) dan diberi tanggal dan paraf Hakim Tunggal;
8. Fotokopi Kartu Keluarga atas nama Sadir Nomor 7315022807092314, tanggal 18 Januari 2018, yang dikeluarkan oleh Kepala Dinas Kependudukan dan Catatan Sipil xxxxxxxxxx xxxxxxxx, bukti tersebut telah diperiksa oleh Hakim Tunggal, dicocokkan dengan aslinya, yang ternyata sesuai dengan aslinya dan telah dinazagelen, kemudian diberi kode (P.8) dan diberi tanggal dan paraf Hakim Tunggal;
9. Asli Surat Penolakan Perkawinan, atas nama Siska Nomor B-675/Kua, 21.17.10/PW.01/12/2020, tanggal 28 Desember 2020 , yang dikeluarkan oleh Kantor Urusan





ada di persidangan ini untuk meminta dispensasi kawin: (par -tab Bahwa karena para Pemohon
ikahkan anaknya namun ditolak oleh KUA xxxxxxxxxxx-xxxxx karena belum cukup umur; (par
wa saksi mengemukakan anak para Pemohon yang dimintakan dispensasi kawin bernama Siska binti

menghadapi persidangan ini untuk meminta dispensasi kawin; \par -\tab Bahwa karena para Pemohon mau menikah anaknya namun ditolak oleh KUA xxxxxxxxxx xxxxxx karena belum cukup umur; \par -\tab Bahwa saksi mengenal anak para Pemohon yang dimintakan dispensasi kawin bernama Siska binti Abdul Kadir; \par -\tab Bahwa anak para Pemohon tersebut sekarang sudah berumur 16 tahun tahun; \par -\tab Bahwa saksi mengenal calon suami anak para Pemohon bernama Arfandi bin Sadir; \par -\tab Bahwa calon suami anak para Pemohon sekarang berumur 19 tahun ; \par -\tab Bahwa anak para Pemohon dengan calon suaminya sudah saling mengenal; \par -\tab Bahwa anak para Pemohon dengan calon suaminya sudah pacaran 1 (satu) tahun dan sering jalan berduaan dan sulit untuk dipisahkan; \par -\tab Bahwa setahu saksi, antara anak para Pemohon dan calon suaminya tidak ada hubungan darah, semenda atau susuan yang menyebabkan tidak boleh menikah; \par -\tab Bahwa anak para Pemohon berstatus gadis dan calon suaminya berstatus bujang; \par -\tab Bahwa keluarga kedua belah pihak telah sepakat mau menikahkan keduanya; \par -\tab Bahwa sudah ada pelamaran dari pihak keluarga calon mempelai laki-laki dan pihak keluarga calon mempelai wanita sudah menerima; \par -\tab Bahwa tidak ada saksi dengar pihak lain yang keberatan atas rencana pernikahan tersebut; \par -\tab Bahwa para Pemohon sudah melapor di KUA setempat namun ditolak karena anaknya belum cukup umur 19 tahun sehingga Para Pemohon mengajukan dispensasi nikah di pengandilan Agama ini; \par -\tab Bahwa tidak, anak para Pemohon sudah kelihatan bertingkah laku seperti orang dewasa; \par -\tab Bahwa menurut saksi sudah tidak bisa ditunda karena keduanya saling mencintai dan sering perjalan berduaan dan tidak dilarang sehingga para Pemohon menkwatirkan terjadi hal hal yang tidak diinginkan; \par -\tab Bahwa anak para Pemohon sudah bisa mengerjakan pekerjaan seorang ibu rumah tangga seperti mencuci, memasak dan lain-lain; \par -\tab Bahwa calon suami anak Para Pemohon sudah mempunyai pekerjaan tetap sebagai Karyawan Perusahaan Roti Jordan\par -\tab Bahwa saksi sering melihat mereka pergi berduaan jalan dan susa untuk dilarang; \par -\tab Bahwa Tidak tetap kalau banyak dibuat banyak juga gajinya\par \par }\pard\plain \ltrpar\s25\qj \fi850\li0\ri0\sl360\smult1\widctlpar\wrapdefault\faauto\rin0\lin0\itap0 \rtlch\fcs1 \af39\afs22\alang1025 \ltrch\fcs0 \fs22\lang1033\langfe1033\loch\af39\hich\af39\dbch\af31505\cgrid\langnp1033\langfenp1033 {\rtlch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid7558187\charrsid3999456 Bahwa atas keterangan saksi-saksi tersebut, para Pemohon menyatakan menerima dan membenarkannya, kemudian menyatakan tidak mengajukan apapun lagi dan mohon penetapan;\par Bahwa untuk mempersingkat uraian penetapan ini, ditunjuk segala sesuatu yang tercantum dalam berita acara sidang perkara ini sebagai bagian yang tidak terpisahkan dari isi penetapan ini;\par }\pard\plain \ltrpar\s3\qc \li0\ri0\sb120\sa60\sl360\smult1\keepn\widctlpar\wrapdefault\faauto\outlinelevel2\rin0\lin0\itap0 \rtlch\fcs1 \ab\af39\afs26\alang1025 \ltrch\fcs0 \b\fs26\lang1033\langfe1033\loch\af39\hich\af39\dbch\af31505\cgrid\langnp1033\langfenp1033 {\rtlch\fcs1 \af1\afs24 \ltrch\fcs0 \cs39\fi1\fs24\insrsid7558187\charrsid3999456 PERTIMBANGAN HUKUM\par }\pard\plain \ltrpar\qj \fi851\li0\ri0\sl360\smult1\widctlpar\wrapdefault\faauto\rin0\lin0\itap0 \rtlch\fcs1 \af39\afs22\alang1025 \ltrch\fcs0 \fs22\lang1033\langfe1033\loch\af39\hich\af39\dbch\af31505\cgrid\langnp1033\langfenp1033 {\rtlch\fcs1 \af1\afs24 \ltrch\fcs0 \cs39\fi1\fs24\insrsid7558187\charrsid3999456 Menimbang, bahwa maksud dan tujuan permohonan para Pemohon adalah sebagaimana telah diuraikan di muka;\par }\rtlch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid7558187\charrsid3999456 Menimbang, bahwa perkara ini disidangkan oleh Hakim Tunggal sesuai Penetapan Hakim Tunggal tanggal 24 Agustus 2020 berdasarkan ketentuan Pasal 1 ayat (11) Peraturan Mahkamah Agung Republik Indonesia Tahun 2019 Tentang Pedoman Mengadili Permohonan Dispensasi Kawin;}\rtlch\fcs1 \af1\afs24 \ltrch\fcs0 \cs39\fi1\fs24\insrsid7558187\charrsid3999456 \par }\pard \ltrpar\qj \fi850\li0\ri0\sl360\smult1\nowidctlpar\wrapdefault\faauto\rin0\lin0\itap0 {\rtlch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid7558187\charrsid3999456 Menimbang, bahwa permohonan dispensasi kawin para Pemohon didasarkan atas dalil-dalil yang pada pokoknya bahwa para Pemohon hendak menikahkan anak kandungnya bernama Siska binti Abdul Kadir, umur 16 tahun tahun dengan seorang laki-laki bernama Arfandi bin Sadir, umur 19 tahun tahun, karena sudah pacaran 1 (satu) tahun dan sering jalan berduaan dan sulit untuk dipisahkan, dan sangat mendesak untuk segera dinikahkan karena dikhawatirkan terjadi atau terjadi lebih jauh perbuatan yang dilarang oleh ketentuan Hukum Islam, dan keluarga kedua belah pihak telah merestui rencana pernikahan tersebut serta tidak ada pihak lain yang keberatan atas rencana pernikahan tersebut, namun pada saat para Pemohon mendaftarkan pernikahan tersebut, Pegawai Pencatat Nikah KUA xxxxxxxxxx xxxxxx menolak dengan alasan anak para Pemohon masih belum cukup





Menimbang, bahwa karena keterangan para saksi dinilai memiliki kekuatan pembuktian yang dapat diterima, maka dalil-dalil permohonan para Pemohon yang ternyata relevan dengan isi keterangan para saksi tersebut, dapat dinyatakan terbukti;

Menimbang, bahwa berdasarkan keterangan para Pemohon yang dihubungkan dengan hasil analisa pembuktian sebagaimana telah dipertimbangkan di atas, maka hakim tunggal berkesimpulan bahwa telah ditemukan fakta-fakta hukum sebagai berikut:

Menimbang, bahwa para Pemohon juga telah menghadirkan saksi-saksi yaitu : SAKSI 1 dan Megawati binti Abd Kadir yang telah memberikan keterangan secara terpisah di bawah sumpah di muka sidang, keterangan mana secara materiil saling bersesuaian satu sama lain dan relevan dengan dalil-dalil permohonan para Pemohon serta tidak terdapat halangan diterimanya kesaksian para saksi tersebut, maka Hakim Tunggal menilai kesaksian tersebut dapat diterima dan dijadikan sebagai alat bukti yang sah untuk membuktikan dalil-dalil permohonan para Pemohon;

Menimbang, bahwa berdasarkan keterangan para Pemohon, anak para Pemohon, para saksi, dan bukti-bukti tertulis, telah ditemukan fakta-fakta hukum sebagai berikut:

Bahwa anak para Pemohon bernama Siska binti Abdul Kadir, saat ini berumur 16 tahun, telah mempunyai kesiapan fisik dan mental untuk menjadi suami bagi calon suaminya;

Bahwa calon suami anak para Pemohon bernama Arfandi bin Sadir, berumur 19 tahun;

Bahwa anak para Pemohon sudah menyatakan persetujuan untuk dinikahkan tanpa ada paksaan;

Bahwa anak para Pemohon dengan calon suaminya sudah pacaran 1 (satu) tahun dan sering jalan berdua dan sulit untuk dipisahkan;

Bahwa antara anak para Pemohon dan calon suaminya tidak ada hubungan keluarga atau susuan yang menyebabkan terhalang untuk menikah, dan keduanya beragama Islam, serta tidak terikat perkawinan dengan orang lain;

Bahwa status anak para Pemohon gadis dan status calon suaminya ;

Bahwa keluarga kedua belah pihak telah merestui pernikahan keduanya dan tidak ada pihak lain yang keberatan atas pernikahan tersebut;

Bahwa Pegawai Pencatat Nikah KUA xxxxxxxxxx menolak untuk menikahkan anak para Pemohon karena belum cukup umur;

Menimbang, bahwa berdasarkan fakta-fakta tersebut di atas, ternyata bahwa antara anak para Pemohon dan calon suaminya tidak ada halangan untuk menikah, baik menurut Hukum Islam maupun menurut ketentuan Pasal 8 Undang-undang Nomor 1 Tahun 1974 jo Pasal 39 dan 40 Kompilasi Hukum Islam, dan syarat-syarat perkawinan sebagaimana ketentuan dalam Pasal 6 ayat (1) dan (2) Undang-undang Nomor 1 Tahun 1974



Menimbang, bahwa maksud Undang-undang menetapkan batas usia minimal 19 tahun bagi calon mempelai pria dan wanita erat kaitannya dengan adanya kesiapan fisik dan mental bagi calon mempelai tersebut untuk menjalani bahtera rumah tangga; Menimbang, bahwa berdasarkan pengakuan anak para Pemohon dan keterangan para saksi diperoleh fakta bahwa meskipun anak para Pemohon masih berusia 16 tahun tahun, namun sudah memiliki kesiapan fisik dan mental untuk menikah; Menimbang, bahwa pemeriksaan perkara ini secara umum telah memenuhi semua ketentuan yang diatur dalam Peraturan Mahkamah Agung Republik Indonesia Tahun 2019 Tentang Pedoman Mengadili Permohonan Dispensasi Kawin; Menimbang, bahwa berdasarkan pertimbangan-pertimbangan tersebut di atas, maka permohonan para Pemohon patut dikabulkan dengan memberi dispensasi kepada anak para Pemohon bernama Siska binti Abdul Kadir, umur 16 tahun tahun, untuk menikah dengan laki-laki bernama Arfandi bin Sadir, umur 19 tahun tahun;

Menimbang, bahwa oleh karena perkara ini termasuk dalam bidang perkawinan, maka berdasarkan ketentuan pasal 89 ayat (1) Undang-Undang Nomor 7 Tahun 1989 sebagaimana telah diubah dengan Undang-Undang Nomor 3 tahun 2006 dan Undang-Undang Nomor 50 tahun 2009 tentang Peradilan Agama, biaya perkara dibebankan kepada para Pemohon;

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Direktori Putusan Mahkamah Agung Republik Indonesia

Putusan Mahkamah Agung No. 08/Pdt/2017/PTU-MAG

Panitera Pengganti,

Hakim Tunggal,

Dra. Hj. Fatmah Abujahja

Dra. Hj. Sehati

Perincian biaya

- Pendaftaran : Rp/ tab 30.000,00/par - Proses : Rp/ tab 50.000,00/par - Panggilan : Rp/ tab 200.000,00/par - PNPB Panggilan :

- Sumpah : Rp/ tab ,00/par - Penerjemah :

- Meterai :

J u m l a h :



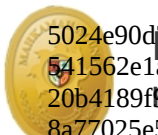
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Accent 1;\lsdpriority63 \lsdlocked0 Medium Shading 1 Accent 1;\lsdpriority64 \lsdlocked0 Medium



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Shading 2 Accent 1;\lsdpriority65 \lsdlocked0 Medium List 1 Accent 1;\lsdsemihidden1 \lsdlocked0
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