



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

Severiyutusan mahkamahagung.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

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Direktori Putusan Mahkamah Agung Republik Indonesia

Putusan Mahkamah Agung

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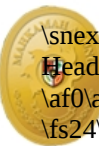
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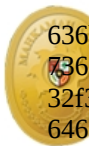
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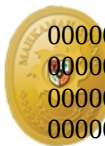
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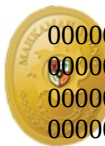
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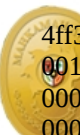


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\ltrch\fc0\bf1\fs24\insrsid15236822\charrsid11742328 tempat dan tanggal lahir Tarakan, 09 Juni 1983,
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\ltrch\fc0\bf1\fs24\insrsid15236822\charrsid11742328 Menimbang, bahwa Penggugat dengan surat
gugatannya tertanggal 01 Juli 2021 yang terdaftar di Kepaniteraan Pengadilan Agama Pinrang pada hari
itu juga dengan register perkara Nomor 513/Pdt.G/2021/PA.Prg, mengemukakan hal-hal sebagai
berikut;\par {\listtext\pard\plain\ltrpar \rtlch\fc1\af0\ltrch\fc0
\f1\lang1033\langfe1057\langfenp1057\insrsid925268\charrsid11742328 1.\tab}} \pard \ltrpar\qj \fi-
284\li284\ri0\sl360\smult1\widctlpar\wrapdefault\fauto\ri0\lin284\itap0\pararsid11893712
{\rtlch\fc1\af1\afs24\ltrch\fc0
\f1\fs24\lang1033\langfe1057\langnp1033\insrsid925268\charrsid11742328 }{\rtlch\fc1\af1\afs24
\ltrch\fc0\bf1\fs24\insrsid15236822\charrsid11742328 Bahwa Penggugat dengan Tergugat telah
melaksanakan pernikahan pada hari Minggu tanggal 23 September 2012, sebagaimana tercatat dalam
Kutipan Akta Nikah nomor: 442/41/IX/2012 yang diterbitkan oleh Pegawai Pencatat Nikah Kantor
Urusan Agama xxxxxxxxxx xxxxxxxx xxxxxx, xxxx xxxxxxxx, Provinsi Kalimantan Timur;}{\rtlch\fc1
\af1\afs24\ltrch\fc0\bf1\fs24\insrsid11893712\charrsid11742328 tertanggal 24 September 2012;\par
{\listtext\pard\plain\ltrpar \rtlch\fc1\af0\ltrch\fc0
\f1\lang1033\langfe1057\langfenp1057\insrsid11893712\charrsid11742328 2.\tab}} \pard \ltrpar\qj \fi-
284\li284\ri0\sl360\smult1\widctlpar\wrapdefault\fauto\ri0\lin284\itap0\pararsid327931
{\rtlch\fc1\af1\afs24\ltrch\fc0
\f1\fs24\lang1033\langfe1057\langnp1033\insrsid11893712\charrsid11742328 }{\rtlch\fc1\af1\afs24
\ltrch\fc0\bf1\fs24\insrsid15236822\charrsid11742328 Bahwa setelah akad nikah berlangsung Penggugat
dengan Tergugat hidup bersama sebagai suami isteri selama 8 tahun 6 bulan lebih dengan bertempat
tinggal di rumah kontrakan di Selumit Pantai, xxxxxxxxxx xxxxxxxx xxxxxx, xxxxxxxxxx xxxxxxxx xxxxxx,
Kota Tarak}{\rtlch\fc1\af1\afs24\ltrch\fc0\bf1\fs24\insrsid327931\charrsid11742328 an, xxxxxxxx
xxxxxxxxxxx xxxxxx;\par {\listtext\pard\plain\ltrpar \rtlch\fc1\af0\ltrch\fc0
\f1\lang1033\langfe1057\langfenp1057\insrsid327931\charrsid11742328 3.\tab}}{\rtlch\fc1\af1\afs24
\ltrch\fc0\bf1\fs24\lang1033\langfe1057\langnp1033\insrsid327931\charrsid11742328 }{\rtlch\fc1
\af1\afs24\ltrch\fc0\bf1\fs24\insrsid15236822\charrsid11742328 Bahwa dari pernikahan tersebut
Penggugat dengan T}{\rtlch\fc1\af1\afs24\ltrch\fc0\bf1\fs24\insrsid327931\charrsid11742328 ergugat
tidak dikaruniai anak;\par {\listtext\pard\plain\ltrpar \rtlch\fc1\af0\ltrch\fc0
\f1\lang1033\langfe1057\langfenp1057\insrsid327931\charrsid11742328 4.\tab}}{\rtlch\fc1\af1\afs24
\ltrch\fc0\bf1\fs24\lang1033\langfe1057\langnp1033\insrsid327931\charrsid11742328 }{\rtlch\fc1
\af1\afs24\ltrch\fc0\bf1\fs24\insrsid15236822\charrsid11742328 Bahwa dalam rumah tangga Penggugat
dengan Tergugat awalnya hidup rukun dan harmonis, namun sejak bulan Desember 2017 mulai diwarnai
perselisihan dan pertengkaran yang diseb}{\rtlch\fc1\af1\afs24\ltrch\fc0\bf1\fs24\insrsid10647398
abkan karena;}{\rtlch\fc1\af1\afs24\ltrch\fc0\bf1\fs24\insrsid10647398\charrsid10647398 \par
{\listtext\pard\plain\ltrpar \rtlch\fc1\af0\ltrch\fc0
\f1\lang1033\langfe1057\langfenp1057\insrsid10647398 4.1\tab}} \pard \ltrpar\qj \fi-



431\li851\ri0\sl360\smult1\widctlpar\wrapdefault\faauto\ls2\ilvl1\ri0\lin851\itap0\pararsid10647398
{\rtch\fcsl \af1\afs24 \ltrch\fcsl \f1\fs24\lang1033\langfe1057\langnp1033\insrsid10647398 }{\rtch\fcsl
\af1\afs24 \ltrch\fcsl \f1\fs24\insrsid15236822\charrsid11742328 Tergugat sering tinggalkan rumah
kontrakan tanp}}{\rtch\fcsl \af1\afs24 \ltrch\fcsl \f1\fs24\insrsid10647398 a sebab dan alasan }
{\rtch\fcsl \af1\afs24 \ltrch\fcsl \f1\fs24\lang1033\langfe1057\langnp1033\insrsid10647398 }{\rtch\fcsl
\af1\afs24 \ltrch\fcsl \f1\fs24\insrsid10647398 yang jelas;}{\rtch\fcsl \af1\afs24 \ltrch\fcsl
\f1\fs24\insrsid10647398\charrsid10647398 \par {\listtext\pard\plain\ltrpar \rtch\fcsl \af0 \ltrch\fcsl
\f1\lang1033\langfe1057\langfnp1057\insrsid10647398 4.2\tab}}\pard \ltrpar\qj \fi-
405\li825\ri0\sl360\smult1\widctlpar\wrapdefault\faauto\ls2\ilvl1\ri0\lin825\itap0\pararsid10647398
{\rtch\fcsl \af1\afs24 \ltrch\fcsl \f1\fs24\lang1033\langfe1057\langnp1033\insrsid10647398 }{\rtch\fcsl
\af1\afs24 \ltrch\fcsl \f1\fs24\insrsid15236822\charrsid11742328 Tergugat }}{\rtch\fcsl \af1\afs24
\ltrch\fcsl \f1\fs24\insrsid10635063\charrsid11742328 sering mengkonsumsi sabu-sabu;}{\rtch\fcsl
\af1\afs24 \ltrch\fcsl \f1\fs24\insrsid10647398\charrsid10647398 \par {\listtext\pard\plain\ltrpar
\rtch\fcsl \af0 \ltrch\fcsl \f1\lang1033\langfe1057\langfnp1057\insrsid10647398 4.3\tab}}{\rtch\fcsl
\af1\afs24 \ltrch\fcsl \f1\fs24\lang1033\langfe1057\langnp1033\insrsid10647398 }{\rtch\fcsl
\af1\afs24 \ltrch\fcsl \f1\fs24\insrsid15236822\charrsid10647398 Tergugat tidak}{\rtch\fcsl \af1\afs24
\ltrch\fcsl \f1\fs24\insrsid10647398 menghargai masakan Penggugat}{\rtch\fcsl \af1\afs24 \ltrch\fcsl
\f1\fs24\lang1033\langfe1057\langnp1033\insrsid10647398 ;}{\rtch\fcsl \af1\afs24 \ltrch\fcsl
\f1\fs24\insrsid10647398\charrsid10647398 \par {\listtext\pard\plain\ltrpar \rtch\fcsl \af0 \ltrch\fcsl
\f1\lang1033\langfe1057\langfnp1057\insrsid10647398 4.4\tab}}\pard \ltrpar\qj \fi-
431\li851\ri0\sl360\smult1\widctlpar\wrapdefault\faauto\ls2\ilvl1\ri0\lin851\itap0\pararsid10647398
{\rtch\fcsl \af1\afs24 \ltrch\fcsl \f1\fs24\lang1033\langfe1057\langnp1033\insrsid10647398 }{\rtch\fcsl
\af1\afs24 \ltrch\fcsl \f1\fs24\insrsid15236822\charrsid10647398 Tergugat sering pinjam uang sama
teman Tergugat tanpa sepengetahuan Penggugat dan Penggugat baru mengetahui pinjaman tersebut ketika
penagih Tergugat data}{\rtch\fcsl \af1\afs24 \ltrch\fcsl \f1\fs24\insrsid10635063\charrsid10647398 ng;}
{\rtch\fcsl \af1\afs24 \ltrch\fcsl \f1\fs24\insrsid10647398\charrsid10647398 \par
{\listtext\pard\plain\ltrpar \rtch\fcsl \af0 \ltrch\fcsl
\f1\lang1033\langfe1057\langfnp1057\insrsid10647398 4.5\tab}}\pard \ltrpar\qj \fi-
405\li825\ri0\sl360\smult1\widctlpar\wrapdefault\faauto\ls2\ilvl1\ri0\lin825\itap0\pararsid10647398
{\rtch\fcsl \af1\afs24 \ltrch\fcsl \f1\fs24\lang1033\langfe1057\langnp1033\insrsid10647398 }{\rtch\fcsl
\af1\afs24 \ltrch\fcsl \f1\fs24\insrsid15236822\charrsid10647398 Tergugat mengeluarkan k}{\rtch\fcsl
\af1\afs24 \ltrch\fcsl \f1\fs24\insrsid10635063\charrsid10647398 ata-kata kasar seperti anjing;}
{\rtch\fcsl \af1\afs24 \ltrch\fcsl \f1\fs24\insrsid10647398\charrsid10647398 \par
{\listtext\pard\plain\ltrpar \rtch\fcsl \af0 \ltrch\fcsl
\f1\lang1033\langfe1057\langfnp1057\insrsid10647398 4.6\tab}}\pard \ltrpar\qj \fi-
431\li851\ri0\sl360\smult1\widctlpar\wrapdefault\faauto\ls2\ilvl1\ri0\lin851\itap0\pararsid10647398
{\rtch\fcsl \af1\afs24 \ltrch\fcsl \f1\fs24\lang1033\langfe1057\langnp1033\insrsid10647398 }{\rtch\fcsl
\af1\afs24 \ltrch\fcsl \f1\fs24\insrsid15236822\charrsid10647398 Tergugat sering meminta kembali uang
yang tela}{\rtch\fcsl \af1\afs24 \ltrch\fcsl \f1\fs24\insrsid327931\charrsid10647398 h diberikan kepada
Penggugat;\par {\listtext\pard\plain\ltrpar \rtch\fcsl \af0 \ltrch\fcsl
\f1\lang1033\langfe1057\langfnp1057\insrsid327931\charrsid11742328 5.\tab}}\pard \ltrpar\qj \fi-
284\li284\ri0\sl360\smult1\widctlpar\wrapdefault\faauto\ls2\ilvl1\ri0\lin284\itap0\pararsid13710608
{\rtch\fcsl \af1\afs24 \ltrch\fcsl
\f1\fs24\lang1033\langfe1057\langnp1033\insrsid327931\charrsid11742328 }{\rtch\fcsl \af1\afs24
\ltrch\fcsl \f1\fs24\insrsid15236822\charrsid11742328 Bahwa pada akhir bulan Maret 2021, antara
Penggugat dan Tergugat terjadi puncak perselisihan dan pertengkaran yang disebabkan karena Tergugat
minta uang kepada Penggugat namun Penggugat tidak berikan karena Penggugat tidak mau jika uang
tersebut digunakan untuk beli sabu-sabu sehingga sejak saat itu Tergugat marah lalu pergi meninggalkan
Penggugat dengan m}{\rtch\fcsl \af1\afs24 \ltrch\fcsl \f1\fs24\insrsid13710608\charrsid11742328
embawa semua pakaian Tergugat;\par {\listtext\pard\plain\ltrpar \rtch\fcsl \af0 \ltrch\fcsl
\f1\lang1033\langfe1057\langfnp1057\insrsid13710608\charrsid11742328 6.\tab}}{\rtch\fcsl \af1\afs24
\ltrch\fcsl \f1\fs24\lang1033\langfe1057\langnp1033\insrsid13710608\charrsid11742328 }{\rtch\fcsl
\af1\afs24 \ltrch\fcsl \f1\fs24\insrsid15236822\charrsid11742328 Bahwa Penggugat dengan Tergugat
telah pisah tempat tinggal sejak akhir bulan Maret 2021, Tergugat pergi meninggalkan Penggugat dan
sejak saat itu antara Penggugat dan Tergugat tidak saling memperdulikan lagi serta tidak pernah lagi
menjalankan hak dan kewajiban sebagai suami isteri sampai s}{\rtch\fcsl \af1\afs24 \ltrch\fcsl



\f1\fs24\insrsid13710608\charrsid11742328 orang sudah 3 bulan lamanya.\par
{\listtext\pard\plain\ltrpar \rtlch\fs1 \af0 \ltrch\fs0
\f1\lang1033\langfe1057\langfenp1057\insrsid13710608\charrsid11742328 7.\tab}}{\rtlch\fs1 \af1\afs24
\ltrch\fs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid13710608\charrsid11742328 }}{\rtlch\fs1
\af1\afs24 \ltrch\fs0 \f1\fs24\insrsid15236822\charrsid11742328 Bahwa setelah pisah tempat tinggal
Penggugat saat ini bertempat tinggal di rumah orang tua Penggugat dan Tergugat saat ini bertempat
tinggal di rumah.}}{\rtlch\fs1 \af1\afs24 \ltrch\fs0 \f1\fs24\insrsid13710608\charrsid11742328 orang tua
Tergugat;\par {\listtext\pard\plain\ltrpar \rtlch\fs1 \af0 \ltrch\fs0
\f1\lang1033\langfe1057\langfenp1057\insrsid13710608\charrsid11742328 8.\tab}}{\rtlch\fs1 \af1\afs24
\ltrch\fs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid13710608\charrsid11742328 }}{\rtlch\fs1
\af1\afs24 \ltrch\fs0 \f1\fs24\insrsid15236822\charrsid11742328 Bahwa sejak Penggugat dan Tergugat
pisah tempat tinggal pihak keluarga telah berusaha menasehati Pengugat dan Tergugat unt}}{\rtlch\fs1
\af1\afs24 \ltrch\fs0 \f1\fs24\insrsid13710608\charrsid11742328 uk rukun namun tidak berhasil;\par
{\listtext\pard\plain\ltrpar \rtlch\fs1 \af0 \ltrch\fs0
\f1\lang1033\langfe1057\langfenp1057\insrsid13710608\charrsid11742328 9.\tab}}{\rtlch\fs1 \af1\afs24
\ltrch\fs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid13710608\charrsid11742328 }}{\rtlch\fs1
\af1\afs24 \ltrch\fs0 \f1\fs24\insrsid15236822\charrsid11742328 Bahwa sudah terpenuhi dalil-dalil
gugatan Penggugat sebagaimana dalam Kompilasi Hukum Islam (KHI) BAB XVI tentang putusnya
perkawinan pada pasal 116 huruf (f) antara suami istri terus menerus terjadi perselisihan dan pertengkaran
dan tidak ada harapan akan hidup }}{\rtlch\fs1 \af1\afs24 \ltrch\fs0
\f1\fs24\insrsid13710608\charrsid11742328 rukun lagi dalam rumah tangga}}{\rtlch\fs1 \af1\afs24
\ltrch\fs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid13710608\charrsid11742328 ;}}{\rtlch\fs1
\af1\afs24 \ltrch\fs0 \f1\fs24\insrsid13710608\charrsid11742328 \par {\listtext\pard\plain\ltrpar
\rtlch\fs1 \af0 \ltrch\fs0 \f1\lang1033\langfe1057\langfenp1057\insrsid13710608\charrsid11742328
10.\tab}}{\pard \ltrpar\qj \fi-
426\li426\ri0\sl360\smult1\widctlpar\wrapdefault\fauto\ls2\rin0\lin426\itap0\pararsid13710608
{\rtlch\fs1 \af1\afs24 \ltrch\fs0
\f1\fs24\lang1033\langfe1057\langnp1033\insrsid13710608\charrsid11742328 }}{\rtlch\fs1 \af1\afs24
\ltrch\fs0 \f1\fs24\insrsid15236822\charrsid11742328 Bahwa dari kenyataan-kenyataan tersebut diatas
Penggugat sudah merasa yakin bahwa perkawinan Penggugat dan Tergugat sudah sulit untuk
dipertahankan sehingga cukup beralasan untuk mengajukan cerai gugat terhadap Tergugat;\par }}\pard
\ltrpar\qj \fi850\li0\ri0\sl360\smult1\widctlpar\wrapdefault\fauto\lin0\lin0\itap0 {\rtlch\fs1 \af1\afs24
\ltrch\fs0 \f1\fs24\insrsid15236822\charrsid11742328 Bahwa berdasarkan alasan-alasan tersebut di atas,
Penggugat mohon kepada Bapak Ketua Pengadilan Agama Pinrang cq. Majelis Hakim yang memeriksa
perkara ini berkenan memutuskan sebagai berikut : \par }}\pard \ltrpar\qj
\li0\ri0\sl360\smult1\widctlpar\tx453\wrapdefault\fauto\lin0\lin0\itap0\pararsid7031440 {\rtlch\fs1
\af1\afs24 \ltrch\fs0 \b\f1\fs24\lang1033\langfe1057\langnp1033\insrsid7031440\charrsid4467711
PRIMER:\par {\listtext\pard\plain\ltrpar \rtlch\fs1 \af0 \ltrch\fs0
\f1\lang1033\langfe1057\langfenp1057\insrsid7031440\charrsid11742328 1.\tab}}{\pard \ltrpar\qj \fi-
720\li720\ri0\sl360\smult1\widctlpar\wrapdefault\fauto\ls3\rin0\lin720\itap0\pararsid7031440
{\rtlch\fs1 \af1\afs24 \ltrch\fs0
\f1\fs24\lang1033\langfe1057\langnp1033\insrsid7031440\charrsid11742328 }}{\rtlch\fs1 \af1\afs24
\ltrch\fs0 \f1\fs24\insrsid7031440\charrsid11742328 Mengabulkan gugatan Penggugat;\par
{\listtext\pard\plain\ltrpar \rtlch\fs1 \af0 \ltrch\fs0
\f1\lang1033\langfe1057\langfenp1057\insrsid7031440\charrsid11742328 2.\tab}}{\pard \ltrpar\qj \fi-
284\li284\ri0\sl360\smult1\widctlpar\wrapdefault\fauto\ls3\rin0\lin284\itap0\pararsid7031440
{\rtlch\fs1 \af1\afs24 \ltrch\fs0
\f1\fs24\lang1033\langfe1057\langnp1033\insrsid7031440\charrsid11742328 }}{\rtlch\fs1 \af1\afs24
\ltrch\fs0 \f1\fs24\insrsid15236822\charrsid11742328 Menjatuhkan talak satu bain sughra Tergugat (}
{\rtlch\fs1 \af1\afs24 \ltrch\fs0 \b\f1\fs24\insrsid15236822\charrsid11742328 TERGUGAT}
{\rtlch\fs1 \af1\afs24 \ltrch\fs0 \f1\fs24\insrsid15236822\charrsid11742328) terhadap Penggugat (}
{\rtlch\fs1 \af1\afs24 \ltrch\fs0 \b\f1\fs24\insrsid15236822\charrsid11742328 PENGGUGAT}
{\rtlch\fs1 \af1\afs24 \ltrch\fs0 \f1\fs24\insrsid7031440\charrsid11742328);\par
{\listtext\pard\plain\ltrpar \rtlch\fs1 \af0 \ltrch\fs0
\f1\lang1033\langfe1057\langfenp1057\insrsid7031440\charrsid11742328 3.\tab}}{\rtlch\fs1
\af1\afs24 \ltrch\fs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid7031440\charrsid11742328 }



{\rtch\fcs1\af1\afs24\ltrch\fcs0\fi1\fs24\insrsid15236822\charrsid11742328 Membebankan biaya perkara menurut hukum yang berlaku; \par } \pard \ltrpar\qj \fi-284\li284\ri0\sl360\smult1\widctlpar\tx426\wrapdefault\faauto\rin0\lin284\itap0\pararsid1446711 {\rtch\fcs1\af1\afs24\ltrch\fcs0\fi1\fs24\lang1033\langfe1057\langnp1033\insrsid1446711\charrsid4467711 SUBSIDER:} {\rtch\fcs1\af1\afs24\ltrch\fcs0\fi1\fs24\lang1033\langfe1057\langnp1033\insrsid15236822\charrsid4467711\par } \pard \ltrpar\qj \fi851\li0\ri0\sl360\smult1\widctlpar\wrapdefault\faauto\rin0\lin0\itap0\pararsid1446711 {\rtch\fcs1\af1\afs24\ltrch\fcs0\fi1\fs24\insrsid15236822\charrsid11742328 \tab ~ Atau apabila Majelis Hakim berpendapat lain dalam kaitannya dengan perkara ini, maka mohon putusan yang seadil-adilnya (}{\rtch\fcs1\af1\afs24\ltrch\fcs0\fi1\fs24\insrsid15236822\charrsid11742328 Ex Aequo Et Bono}{\rtch\fcs1\af1\afs24\ltrch\fcs0\fi1\fs24\insrsid15236822\charrsid11742328) dan menurut Peradilan yang baik; \par } \pard \ltrpar\qj \fi850\li0\ri0\sl360\smult1\widctlpar\wrapdefault\faauto\rin0\lin0\itap0 {\rtch\fcs1\af1\afs24\ltrch\fcs0\fi1\fs24\insrsid15236822\charrsid11742328 Bahwa pada hari-hari sidang yang telah ditetapkan, Penggugat datang menghadap sendiri di persidangan, sedangkan Tergugat tidak pernah datang menghadap dan tidak pula menyuruh orang lain untuk menghadap sebagai wakil atau kuasanya yang sah, meskipun telah dipanggil secara resmi dan patut dan tidak ternyata ketidakhadirannya tersebut disebabkan oleh suatu halangan yang sah, maka perkara ini diperiksa tanpa hadirnya Tergugat; \par Bahwa upaya perdamaian dan mediasi tidak dapat dilaksanakan karena Tergugat tidak pernah hadir di persidangan; \par Bahwa selanjutnya pemeriksaan perkara dilakukan dalam sidang tertutup untuk umum dengan terlebih dahulu dibacakan surat gugatan Penggugat yang isi dan maksudnya tetap dipertahankan oleh Penggugat; \par Bahwa oleh karena Tergugat atau kuasanya yang sah tidak pernah hadir di persidangan, maka jawaban Tergugat atas gugatan Penggugat tidak dapat didengarkan; \par } \pard \plain \ltrpar\s26\qj \fi850\li0\ri0\sl360\smult1\widctlpar\wrapdefault\faauto\rin0\lin0\itap0 {\rtch\fcs1\af0\afs24\alang1025\ltrch\fcs0\fi1\fs24\lang1057\langfe1057\loch\af0\hich\af0\dbch\af31505\cgrid\langnp1057\langfenp1057}{\rtch\fcs1\af1\ltrch\fcs0\fi1\insrsid15236822\charrsid11742328 Bahwa untuk menguatkan dalil-dalil gugatannya, Penggugat mengajukan alat bukti surat dan saksi-saksi sebagai berikut : \par } \pard \plain \ltrpar\s28\qj \fi-426\li426\ri0\sl360\smult1\widctlpar\tx426\wrapdefault\faauto\rin0\lin426\itap0 {\rtch\fcs1\af0\afs22\alang1025\ltrch\fcs0\fi1\fs22\lang1057\langfe1057\loch\af0\hich\af0\dbch\af31505\cgrid\langnp1057\langfenp1057}{\rtch\fcs1\ab\af1\afs24\ltrch\fcs0\fi1\fs24\insrsid15236822\charrsid11742328 1. \tab Bukti Surat. \par } \pard \ltrpar\s28\qj \li426\ri0\sl360\smult1\widctlpar\wrapdefault\faauto\rin0\lin426\itap0\pararsid3280001 {\rtch\fcs1\af1\afs24\ltrch\fcs0\fi1\fs24\insrsid15236822\charrsid11742328 Fotokopi Kutipan Akta Nikah dari Kantor Urusan Agama xxxxxxxxxx xxxxxxx xxxxxx, xxxx xxxxxxxx, Provinsi Kalimantan Timur, Nomor 442/41/IX/2012 Tanggal 24 September 2012. Bukti surat tersebut telah diperiksa oleh Majelis Hakim, dicocokkan dengan aslinya yang ternyata sesuai dan telah dinazegelen, kemudian diberi kode bukti (P). Diberi tanggal dan paraf Ketua Majelis; \par } \pard \ltrpar\s28\qj \fi-426\li426\ri0\sl360\smult1\widctlpar\tx426\wrapdefault\faauto\rin0\lin426\itap0 {\rtch\fcs1\ab\af1\afs24\ltrch\fcs0\fi1\fs24\insrsid15236822\charrsid11742328 2. \tab Bukti Saksi. \par } \pard \ltrpar\s28\qj \li426\ri0\sl360\smult1\widctlpar\tx426\wrapdefault\faauto\rin0\lin426\itap0 {\rtch\fcs1\af1\afs24\ltrch\fcs0\fi1\fs24\insrsid15236822\charrsid11742328 Saksi 1, } {\rtch\fcs1\ab\af1\afs24\ltrch\fcs0\fi1\fs24\insrsid15236822\charrsid11742328 SAKSI 3} {\rtch\fcs1\af1\afs24\ltrch\fcs0\fi1\fs24\insrsid15236822\charrsid11742328 , umur 53 tahun, agama Islam, pendidikan SD, pekerjaan xxxxxxxxxx xxxxxx xxxxxx, } {\rtch\fcs1\af1\afs24\ltrch\fcs0\fi1\fs24\insrsid5668208\charrsid11742328 bertempat tinggal di xxxxxxxxxx } {\rtch\fcs1\af1\afs24\ltrch\fcs0\fi1\fs24\insrsid15236822\charrsid11742328 , xxxx xxxxxxxxxx xxxxxxxxxx xxxxxx, xxxxxxxxxx xxxxxxxx, di bawah sumpah memberikan keterangan yang pada pokoknya sebagai berikut : \par } \pard \ltrpar\s28\qj \fi-278\li708\ri0\sl360\smult1\widctlpar\tx709\wrapdefault\faauto\rin0\lin708\itap0 {\rtch\fcs1\af1\afs24\ltrch\fcs0\fi1\fs24\insrsid15236822\charrsid11742328 - \tab Bahwa saksi kenal dengan Penggugat bernama PENGGUGAT karenaq saksi adalah ibu kandung Pengguga } {\rtch\fcs1\af1\afs24\ltrch\fcs0\fi1\fs24\lang1033\langfe1057\langnp1033\insrsid1524581\charrsid11742328 t } {\rtch\fcs1\af1\afs24\ltrch\fcs0\fi1\fs24\insrsid15236822\charrsid11742328 ; \par - \tab Bahwa Penggugat menghadap di persidangan ini untuk mengajukan cerai terhadap Tergugat; \par - \tab Bahwa saksi kenal Tergugat bernama TERGUGAT sebagai suami Penggugat } {\rtch\fcs1\af1\afs24\ltrch\fcs0



{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid15236822\charrsid11742328 \par }
{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid15236822\charrsid11742328 -tab Bahwa Penggugat dan Tergugat menikah di Tarakan tengah xxxx xxxxxxxx pada tanggal 23 september 2012}{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid1524581\charrsid11742328 ;}
{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid15236822\charrsid11742328 \par }{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 -tab Bahwa Penggugat dan Tergugat tinggal bersama dan hidup rukun; \par -tab Bahwa Penggugat dan Tergugat tinggal bersama dan hidup rukun selama 8 (delapan) tahun 6 (enam) bulan lamanya; \par -tab Bahwa setelah}{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid16659650\charrsid11742328 }
{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 menikah Penggugat dan Tergugat tinggal bersama di rumah kontrakan sdi selumit Panatai, kelurahan selumit pantai}{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid16659650\charrsid11742328 }
{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 Kecamatan tarakan, xxxx xxxxxxxx; \par -tab Bahwa Penggugat dan Tergugat belum dikaruniai anak; \par -tab Bahwa setelah menikah rumah tangga Penggugat dan Tergugat pada awalnya rukun dan harmonis namun sekarang ini rumah tangga Penggugat dan Tergugat sering terjadi perselisihan dan pertengkaran yang menyebabkan antara Penggugat dan tergugat tidak harmonis lagi; \par -tab Bahwa Penggugat mengajukan cerai terhadap Tergugat karena sudah tidak rukun dalam rumah tangganya; \par -tab Bahwa antara Penggugat dan Tergugat sering terjadi perselisihan dan pertengkaran sejak bulan desember 2017; \par }{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\insrsid1524581\charrsid11742328 -tab Bahwa }{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid1524581\charrsid11742328 y}{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 ang biasa menjadi penyebab perselisihan dan pertengkaran antara Penggugat dan Tergugat adalah karena sering pergi tinggalkan Penggugat di rumah kontrakan tanpa izin sama P}{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\insrsid5326833\charrsid11742328 enggugat, Tergugat sering men}{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid5326833\charrsid11742328 g}{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\insrsid5326833\charrsid11742328 ko}{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid5326833\charrsid11742328 n}{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 sumsi narkoba sejenis sabu}{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid340261\charrsid11742328 -}
{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 sabu}{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid340261\charrsid11742328 , }
{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 Tergugat tidak menghargai masakan Penggugat dan Tergugat sering berkata kasar kepada Penggugat; \par -tab Bahwa penyebab lainnya adalah karena Tergugat sering pinjam uang nanti diketahui Penggugat setelah penagi}
{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid340261\charrsid11742328 h}{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 Tergugat datang menagi}{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid340261\charrsid11742328 h}{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 dan Tergugat sering minta uang kembali yang sudah dikasi}{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid340261\charrsid11742328 h}{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 Penggugat; \par -tab Bahwa puncak perselisihan dan pertengkaran antara Penggugat dan Tergugat terjadi pada Bulan maret 2021 disebabkan Tergugat minta uang kepada Penggugat namun Penggugat tidak berikan karena Penggugat tidak mau jika uang t}
{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\insrsid340261\charrsid11742328 ersebut dipakai untuk beli sabu}{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid340261\charrsid11742328 -}{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 sabu sehingga terjadi perselisihan dan pertengkaran antara Penggugat dan Tergugat }{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\insrsid7215746\charrsid11742328 ya}{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 ng mengakibatkan Tergugat pergi}{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\insrsid10573522\charrsid11742328 meninggalkan rumah dengan memb}{\rtch\fcs1 \af1\afs24 \trch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid10573522\charrsid11742328 a}



{\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 wa semua pakaiannya; \par -\tab Bahwa saksi tidak pernah melihat dan mendengar langsung Penggugat dan Tergugat bertengkar karena kejadiannya di Tarakan, tapi setelah terjadi pertengkar saksi tahu karena Penggugat sering memberitahu saksi kalau Penggugat dan Tergugat su} {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid5512166\charrsid11742328 dah bertengkar melalui telpon} {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 ; \par -\tab Bahwa Penggugat dan Tergugat sudah pisah tempat tinggal sejak bulan maret 2021, sekarang sudah berjalan kurang lebih 4 bulan lamanya; \par -\tab Bahwa yang meninggalkan tempat tinggal bersama adalah Tergugat; \par -\tab Bahwa saat ini Penggugat tinggal di rumah saksi seda} {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid5512166\charrsid11742328 ngkan Tergugat tinggal } {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 di rumah orang tua Tergugat; \par -\tab Bahwa selama pisah antara Penggugat dan Tergugat sudah tidak ada komunikasi; \par -\tab Bahwa Tergugat sudah tidak pernah memberikan nafkah kepada Penggugat; \par -\tab Bahwa Penggugat dan Tergugat sudah pernah diupayakan untuk dirukunkan oleh pihak keluarga Penggugat dan Tergugat, namun tidak berhasil; \par -\tab Bahwa menurut saksi rumah tangga Pen} {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid10624267\charrsid11742328 ggugat dan Tergugat sudah sulit un} {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 tuk dipertahankan lagi karena sering terjadi perselisihan dan pertengkar terus menerus dan keduanya sudah tidak saling menjalankan hak dan kewajiban sebagai suami isteri dan sudah tidak saling memperdulikan lagi; \par \par } \pard \ltrpar\s28\qj \li426\ri0\sl360\slmult1\widctlpar\tx426\wrapdefault\faauto\rin0\lin426\itap0 {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 Saksi 2, } {\rtch\fcs1 \ab\af1\afs24 \ltrch\fcs0 \b\af1\fs24\insrsid15236822\charrsid11742328 Nurdin bin Lamamma} {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 , umur } {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid16659650\charrsid11742328 38 } {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 tahun, agama } {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid16659650\charrsid11742328 Islam} {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 , pendidikan S1, pekerjaan xxxxxx, bertempat tinggal di KABUPATEN, di bawah sumpah memberikan keterangan yang pada pokoknya sebagai berikut : \par } \pard \ltrpar\s28\qj \fi-278\li708\ri0\sl360\slmult1\widctlpar\tx709\wrapdefault\faauto\rin0\lin708\itap0 {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 -\tab Bahwa saksi kenal dengan Penggugat ber} {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid13896288\charrsid11742328 nama PENGGUGAT karena} {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 saksi adalah kakak kandung Pengguga} {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid13896288\charrsid11742328 t} {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 ; \par -\tab Bahwa Penggugat menghadap di persidangan ini untuk mengajukan cerai terhadap Tergugat; \par -\tab Bahwa saksi kenal Tergugat bernama TERGUGAT sebagai suami Penggugat} {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid5179067\charrsid11742328 ; } {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid15236822\charrsid11742328 \par } {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 -\tab Bahwa Penggugat dan Tergugat menikah di Tarakan tengah xxxx xxxxxxxx pada tanggal 23 september 2012} {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid5179067\charrsid11742328 ; } {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid15236822\charrsid11742328 \par } {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 -\tab Bahwa Penggugat dan Tergugat tinggal bersama dan hidup rukun; \par -\tab Bahwa Penggugat dan Tergugat tinggal bersama dan hidup rukun selama 8 (delapan) tahun 6 (enam) bulan lamanya; \par -\tab Bahwa setelah} {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid5179067\charrsid11742328 } {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 menikah Penggugat dan Tergugat tinggal bersama di rumah kontrakan sdi selumit Panatai, kelurahan selumit pantai} {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid5179067\charrsid11742328 } {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 Kecamatan tarakan, xxxx xxxxxxxx; \par -\tab Bahwa Penggugat dan Tergugat belum dikaruniai anak; \par -\tab Bahwa setelah menikah rumah tangga Penggugat dan Tergugat pada awalnya rukun dan harmonis namun sekarang ini rumah tangga Penggugat dan Tergugat sering terjadi perselisihan dan pertengkar yang mennyebabkan





Bahwa selanjutnya Penggugat menyatakan tidak akan mengajukan apapun lagi dan mohon putusan; \par Bahwa untuk mempersingkat uraian putusan ini, ditunjuk segala sesuatu yang tercantum dalam berita acara sidang perkara ini sebagai bagian yang tidak terpisahkan dari isi putusan ini; \par } \pard\plain \ltrpar\s3\qc \li0\ri0\sb120\sa60\sl360\smult1\keepn\widctlpar\wrapdefault\faa\auto\outlinelevel2\lin0\lin0\itap0 \rtlch\fc1\af0\afs24\alang1025 \ltrch\fc0 \fs24\ul\lang1057\langfe1057\loch\af0\hich\af0\dbch\af31505\cgrid\langnp1057\langfenp1057 {rtlch\fc1\ab\af1\ltrch\fc0\b\fi\ulnone\insrsid15236822\charrsid11742328 PERTIMBANGAN HUKUM} {rtlch\fc1\af1\ltrch\fc0\fi\insrsid15236822\charrsid11742328 \par } \pard\plain \ltrpar\qj \fi850\li0\ri0\sl360\smult1\widctlpar\wrapdefault\faa\auto\lin0\lin0\itap0 \rtlch\fc1\af0\afs20\alang1025 \ltrch\fc0\fs20\lang1057\langfe1057\loch\af0\hich\af0\dbch\af31505\cgrid\langnp1057\langfenp1057 {rtlch\fc1\af1\afs24 \ltrch\fc0\fi\fs24\insrsid15236822\charrsid11742328 Menimbang, bahwa maksud dan tujuan gugatan Penggugat adalah sebagaimana telah diuraikan di atas; \par Menimbang, bahwa selama persidangan hanya Penggugat yang selalu hadir sedangkan Tergugat tidak pernah hadir, maka upaya mediasi sebagaimana ketentuan Peraturan Mahkamah Agung RI Nomor 1 Tahun 2008 yang telah diubah dengan Peraturan Mahkamah Agung RI Nomor 1 Tahun 2016 tentang Prosedur Mediasi di Pengadilan, tidak dapat dilaksanakan; \par Menimbang, bahwa oleh karena Tergugat {rtlch\fc1\ab\af1\afs24 \ltrch\fc0\b\fi\fs24\insrsid15236822\charrsid11742328 } {rtlch\fc1\af1\afs24 \ltrch\fc0 \fi\fs24\insrsid15236822\charrsid11742328 tidak pernah hadir di persidangan meskipun telah dipanggil secara resmi dan patut dan tidak ternyata tidak hadirnya tersebut disebabkan oleh suatu halangan yang sah, maka Tergugat harus dinyatakan tidak hadir, dan perkara ini dilanjutkan tanpa hadirnya Tergugat; } {rtlch\fc1\ab\ai\af1\afs24 \ltrch\fc0\b\fi\fs24\insrsid15236822\charrsid11742328 \par } \pard \ltrpar\qj \fi850\li0\ri0\sl360\smult1\nowidctlpar\wrapdefault\faa\auto\lin0\lin0\itap0 {rtlch\fc1\af1\afs24 \ltrch\fc0\fi\fs24\insrsid15236822\charrsid11742328 Menimbang, bahwa oleh karena Tergugat telah dinyatakan tidak hadir, dan gugatan Penggugat mempunyai alasan serta tidak bertentangan dengan hukum, maka berdasarkan ketentuan Pasal 149 Ayat (1) R.Bg., gugatan Penggugat dapat diperiksa dan diputus secara verstek; \par Menimbang, bahwa alasan pokok Penggugat mengajukan gugatan cerai adalah bahwa Tergugat {rtlch\fc1\af1\afs24 \ltrch\fc0 \fi\fs24\lang1033\langfe1057\langnp1033\insrsid4475691\charrsid11742328 sering meninggalkan rumah kontrakan tanpa sebab dan alasan yang jelas, Tergugat sering mengkonsumsi sabu-sabu, Tergugat tidak menghargai masakan penggugat, Tergugat sering pinjam uang sama teman Tergugat tanpa sepengetahuan Penggugat dan Penggugat baru mengetahui pinjaman tersebut ketika penagih Tergugat datang serta Tergugat mengeluarkan kata-kata kasar seperti anjing} {rtlch\fc1\af1\afs24 \ltrch\fc0 \fi\fs24\insrsid15236822\charrsid11742328 ; \par Menimbang, bahwa meskipun Tergugat dianggap mengakui atau setidak-tidaknya tidak membantah dalil-dalil gugatan Penggugat karena Tergugat tidak pernah hadir di persidangan, namun karena perkara ini perkara perceraian, maka Penggugat tetap diwajibkan untuk membuktikan alasan-alasan perceraian dengan mengajukan alat-alat bukti yang cukup; \par Menimbang, bahwa Penggugat telah mengajukan bukti P berupa fotokopi Kutipan Akta Nikah yang dikeluarkan oleh Pejabat yang berwenang sebagai akta autentik, bermeterai cukup, telah dicap pos (nazegele) dan sesuai dengan aslinya, maka alat bukti tersebut telah memenuhi syarat formil, isi bukti tersebut menerangkan bahwa Penggugat telah menikah dengan Tergugat pada tanggal 23 September 2012, relevan dengan dalil yang hendak dibuktikan oleh Penggugat, maka bukti P sebagai akta otentik mempunyai kekuatan pembuktian yang sempurna dan mengikat; \par Menimbang, bahwa berdasarkan bukti P tersebut harus dinyatakan terbukti bahwa Penggugat dengan Tergugat adalah suami istri sah, menikah pada tanggal 23 September 2012, hal tersebut sesuai ketentuan pasal 7 ayat (1) Kompilasi Hukum Islam; \par Menimbang, bahwa Penggugat juga telah mengajukan saksi-saksi yaitu: SAKSI 3 dan Nurdin bin Lamamma, keduanya telah memberikan keterangan sebagaimana telah diuraikan dalam duduk perkara; \par Menimbang, bahwa kedua saksi tersebut adalah orang dewasa yang memberikan keterangan secara terpisah di bawah sumpah di muka sidang, keterangan kedua saksi secara materil saling bersesuaian satu sama lain dan relevan dengan dalil-dalil yang hendak dibuktikan oleh Penggugat serta tidak ada halangan diterimanya kesaksian para saksi tersebut, maka kedua saksi tersebut telah memenuhi syarat formil dan materil sehingga keterangan kedua saksi tersebut memiliki kekuatan pembuktian yang dapat diterima; \par } \pard\plain \ltrpar\s33\qj



Menimbang, bahwa berdasarkan keterangan Penggugat, bukti tertulis dan keterangan para saksi, Majelis Hakim telah menemukan fakta-fakta hukum yang disimpulkan sebagai berikut:

Bahwa Penggugat dengan Tergugat adalah suami istri sah;

Bahwa Penggugat dengan Tergugat pernah hidup rukun, namun sejak bulan Desember 2017 antara Penggugat dan Tergugat sering terjadi perselisihan dan pertengkaran yang berulang-ulang, hingga terjadi pisah tempat tinggal;

Bahwa Penggugat dan Tergugat sudah pisah tempat tinggal sejak Maret 2021 yang sudah berlangsung 3 bulan lamanya;

Bahwa selama pisah, Tergugat sudah tidak pernah menafkahi Penggugat;

Bahwa Penggugat sudah berketetapan hati untuk bercerai dengan Tergugat;

Menimbang, bahwa berdasarkan fakta-fakta tersebut di atas, Majelis Hakim berpendapat bahwa antara Penggugat dan Tergugat telah terjadi keretakan ikatan batin sebagai suami istri, akibat perselisihan hingga terjadi pisah tempat tinggal yang sudah berlangsung sekitar 5 bulan, dan tidak ada harapan untuk kembali rukun karena keduanya sudah tidak saling mempedulikan bahkan Penggugat telah berketetapan hati untuk bercerai dengan Tergugat, yang tentunya rumah tangga seperti itu sudah tidak dapat diharapkan untuk merealisasikan tujuan perkawinan yaitu membentuk rumah tangga yang bahagia dan kekal, sesuai maksud Pasal 1 Undang-Undang Nomor 1 Tahun 1974 tentang Perkawinan, dan terwujudnya keluarga yang sakinah, mawaddah dan rahmah, sesuai maksud Pasal 3 Kompilasi Hukum Islam, bahkan dalam rumah tangga seperti itu, suami dan istri sudah tidak dapat menjalankan hak dan kewajibannya masing-masing, yang mana untuk itulah rumah tangga diadakan;

Menimbang, bahwa suatu ikatan pernikahan adalah dimaksudkan untuk memberikan kemaslahatan bagi suami maupun istri, tetapi dengan melihat kondisi rumah tangga Penggugat dengan Tergugat sebagaimana tersebut di atas, Majelis Hakim berpendapat bahwa rumah tangga seperti itu bukan saja tidak lagi mendatangkan kemaslahatan, tapi justru hanya akan memberikan penderitaan batin baik bagi Penggugat maupun Tergugat, karena itu perceraian dapat menjadi jalan keluar dari kemelut rumah tangga tersebut;



{\rtch\fcs1 \af1 \ltrch\fcs0 \f1\insrsid15236822\charrsid11742328 Menimbang, bahwa berdasarkan pertimbangan-pertimbangan tersebut di atas tanpa mempersoalkan siapa yang benar dan siapa yang salah, maka alasan-alasan perceraian dalam perkara ini dianggap telah memenuhi ketentuan Pasal 19 huruf (f) Peraturan Pemerintah Nomor 9 Tahun 1975 jo Pasal 116 huruf (f) Kompilasi Hukum Islam, atau setidaknya gugatan Penggugat untuk bercerai dengan Tergugat telah memiliki cukup alasan, maka gugatan Penggugat patut dikabulkan dengan menjatuhkan talak satu bain sugra Tergugat terhadap Penggugat;par Menimbang, bahwa perceraian yang dijatuhkan oleh Pengadilan Agama Pinrang adalah talak satu bain sugra, maka sebagaimana maksud Pasal 119 ayat (1) Kompilasi Hukum Islam, bekas istri (Penggugat) meskipun dalam masa iddah tidak boleh rujuk dengan bekas suaminya (Tergugat), tetapi keduanya boleh melakukan akad nikah baru;par } \pard\plain \ltrpar\qj \fi850\li0\ri0\sl360\smult1\widctlpar\wrapdefault\faauto\rin0\lin0\itap0 \rtch\fcs1 \af0\afs20\alang1025 \ltrch\fcs0 \fs20\lang1057\langfe1057\loch\af0\hich\af0\dbch\af31505\cgrid\langnp1057\langfnp1057 {\rtch\fcs1 \af1 \afs24 \ltrch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 Menimbang, bahwa oleh karena perkara ini termasuk 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 Penggugat;par } \pard \ltrpar\ql \fi850\li0\ri0\sl360\smult1\nowidctlpar\wrapdefault\faauto\rin0\lin0\itap0 {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 Memperhatikan pasal-pasal dari peraturan perundang-undangan yang berlaku dan hukum syara\hich\f1 \rquote \loch\f1 yang berkenaan dengan perkara ini;par } \pard \ltrpar\qc \li0\ri0\sb120\sa60\sl360\smult1\widctlpar\wrapdefault\faauto\rin0\lin0\itap0\pararsid12545927 {\rtch\fcs1 \ab\af1\afs24 \ltrch\fcs0 \b\fs24\lang1033\langfe1057\langnp1033\insrsid12545927\charrsid11742328 M E N G A D I L Ipar {\listtext\pard\plain\ltrpar \rtch\fcs1 \af0 \ltrch\fcs0 \f1\lang1033\langfe1057\langfnp1057\insrsid12545927\charrsid11742328 1.\tab}} \pard \ltrpar\qj \fi284\li284\ri0\sl360\smult1\widctlpar\wrapdefault\faauto\ls4\rin0\lin284\itap0\pararsid12545927 {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid12545927\charrsid11742328 } {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 Menyatakan Tergugat yang telah dipanggil secara resmi dan patut untuk menghada} {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid12545927\charrsid11742328 p di persidangan, tidak hadir;par {\listtext\pard\plain\ltrpar \rtch\fcs1 \af0 \ltrch\fcs0 \f1\lang1033\langfe1057\langfnp1057\insrsid12545927\charrsid11742328 2.\tab}} {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid12545927\charrsid11742328 } {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 Mengabulkan gug} {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid12545927\charrsid11742328 atan Penggugat secara verstek;par {\listtext\pard\plain\ltrpar \rtch\fcs1 \af0 \ltrch\fcs0 \f1\lang1033\langfe1057\langfnp1057\insrsid12545927\charrsid11742328 3.\tab}} {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid12545927\charrsid11742328 } {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 Menjatuhkan talak satu ba'in shughra Tergugat (} {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \b\fs24\insrsid15236822\charrsid11742328 TERGUGAT} {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328) terhadap Penggugat (} {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \b\fs24\insrsid15236822\charrsid11742328 PENGUGAT} {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid12545927\charrsid11742328)} {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid12545927\charrsid11742328 ;} {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid12545927\charrsid11742328 \par {\listtext\pard\plain\ltrpar \rtch\fcs1 \af0 \ltrch\fcs0 \f1\lang1033\langfe1057\langfnp1057\insrsid12545927\charrsid11742328 4.\tab}} {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid12545927\charrsid11742328 } {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\insrsid15236822\charrsid11742328 Membebankan kepada Penggugat untuk membayar biaya perkara sejumlah Rp} {\rtch\fcs1 \af1\afs24 \ltrch\fcs0 \f1\fs24\lang1033\langfe1057\langnp1033\insrsid12545927\charrsid11742328 . } {\rtch\fcs1 \af1\afs24



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Perincian biaya

Pendaftaran : Rp/ tab 30.000,00/ par

- Proses/ tab : Rp/ tab 50.000,00/ par

- Panggilan/ tab : Rp/ tab 540.000,00/ par

- PNBP Panggilan/ tab : Rp/ tab

- Redaksi/ tab : Rp/ tab 10.000,00/ par

- Meterai/ tab

10.000,00/ par

Untuk Salinan/ par

Panitera Pengadilan Agama Pinrang/ par

H. Asir Pasimbong Alo, S.Ag., M.H./ par

1284/ par

504b03041400060008000002100e9de0fbfff000001c020000130000005b436f6e74656e745f54797065735d2e786d6cac91cb4ec3301045f748fc83e52d4a9cb2400825e982c78ec7a27cc0c8992416c9d8b2a755fbf74cd25442a820166c2cd933f79e3be372bd1f07b5c3989ca74aaff2422b24eb1b475da5df374fd9ad5689811a183c61a50f98f4babe3c2837878049899a52a57be670674cb23d8e90721f90a4d2fa3802cb35762680fd800ecd7551dc18eb899138e3c943d7e503b6b01d583deee5f99824e290b4ba3f364eac4a430883b3c092d4eca8f946c916422ecab927f52ea42b89a1cd59c254f919b0e85e6535d135a8de20f20b8c12c3b00c895fcb6720192de6bf3b9e89ecd8bd6596cbcd8eb28e7c365ecc4ec1ff1460f53fe813d3cc7f5b7f020000ffff0300504b03041400060008000002100a5d6a7e7c000000360100000b0000005f72656c732f2e72656c73848cf6ac3300c8706f85bd83d17d51d2c31825762fa37d00e1287f68221bdb1bebbdb4fc7060abb0884a4eff7a93dfea8bf9e194e720169aaa06c3e2433fcb68e1763dbf7f82c985a4a725085b787086a37b7dbb55fbc50d1a33ccd311ba548b63095120f88d94fbc52ae4264d1c910d24a45db3462247fa791715fd71f989e19e0364cd3f51652d73760ae8fa8c9ffb3c330cc9e4fc17faf2ce545046e37944c69e462a1a82fe353bd90a865aad41ed0b5b8f9d6fd010000ffff0300504b030414000600080000021006b799616830000008a0000001c0000007468656d652f7468656d652f7468656d654d616e616765722e786d6c0ccc4d0ac3201040e17da17790d93763bb284562b2cbaebbf600439c1a41c7a0d29fbd7e5e38337cedf14d59b4b0d592c9c070d8a65cd2e88b7f07c2ca71ba8da481cc52c6ce1c715e6e97818c9b48d13df49c873517d23d59085adb5dd20d6b52bd521ef2cdd5eb9246a3d8b4757e8d3f729e245eb2b260a0238fd010000ffff0300504b0304140006000800000210091a344bc850700096200000160000007468656d652f7468656d652f7468656d65312e786d6cec59cd8e1bb911be07c83b34f

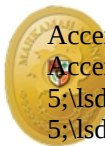
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Emphasis;\sdsemihidden1 \sdlocked0 Document Map;\sdsemihidden1 \sdunhideused1 \sdlocked0
Plain Text;\sdsemihidden1 \sdunhideused1 \sdlocked0 E-mail Signature;\sdsemihidden1
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Bottom of Form;\sdsemihidden1 \sdunhideused1 \sdlocked0 Normal (Web);\sdsemihidden1
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\sdunhideused1 \sdlocked0 HTML Variable;\sdsemihidden1 \sdunhideused1 \sdlocked0 annotation
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\sdlocked0 Outline List 1;\sdsemihidden1 \sdunhideused1 \sdlocked0 Outline List 2;\sdsemihidden1
\sdunhideused1 \sdlocked0 Outline List 3;\sdsemihidden1 \sdunhideused1 \sdlocked0 Balloon
Text;\sdpriority39 \sdlocked0 Table Grid;\sdsemihidden1 \sdlocked0 Placeholder Text;\sdqformat1
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Light List;\sdpriority62 \sdlocked0 Light Grid;\sdpriority63 \sdlocked0 Medium Shading
1;\sdpriority64 \sdlocked0 Medium Shading 2;\sdpriority65 \sdlocked0 Medium List 1;\sdpriority66
\sdlocked0 Medium List 2;\sdpriority67 \sdlocked0 Medium Grid 1;\sdpriority68 \sdlocked0 Medium
Grid 2;\sdpriority69 \sdlocked0 Medium Grid 3;\sdpriority70 \sdlocked0 Dark List;\sdpriority71
\sdlocked0 Colorful Shading;\sdpriority72 \sdlocked0 Colorful List;\sdpriority73 \sdlocked0 Colorful
Grid;\sdpriority60 \sdlocked0 Light Shading Accent 1;\sdpriority61 \sdlocked0 Light List Accent
1;\sdpriority62 \sdlocked0 Light Grid Accent 1;\sdpriority63 \sdlocked0 Medium Shading 1 Accent
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Accent 1;\sdsemihidden1 \sdlocked0 Revision;\sdqformat1 \sdlocked0 List Paragraph;\sdqformat1
\sdpriority29 \sdlocked0 Quote;\sdqformat1 \sdpriority30 \sdlocked0 Intense Quote;\sdpriority66
\sdlocked0 Medium List 2 Accent 1;\sdpriority67 \sdlocked0 Medium Grid 1 Accent 1;\sdpriority68
\sdlocked0 Medium Grid 2 Accent 1;\sdpriority69 \sdlocked0 Medium Grid 3 Accent 1;\sdpriority70
\sdlocked0 Dark List Accent 1;\sdpriority71 \sdlocked0 Colorful Shading Accent 1;\sdpriority72
\sdlocked0 Colorful List Accent 1;\sdpriority73 \sdlocked0 Colorful Grid Accent 1;\sdpriority60
\sdlocked0 Light Shading Accent 2;\sdpriority61 \sdlocked0 Light List Accent 2;\sdpriority62
\sdlocked0 Light Grid Accent 2;\sdpriority63 \sdlocked0 Medium Shading 1 Accent 2;\sdpriority64
\sdlocked0 Medium Shading 2 Accent 2;\sdpriority65 \sdlocked0 Medium List 1 Accent
2;\sdpriority66 \sdlocked0 Medium List 2 Accent 2;\sdpriority67 \sdlocked0 Medium Grid 1 Accent
2;\sdpriority68 \sdlocked0 Medium Grid 2 Accent 2;\sdpriority69 \sdlocked0 Medium Grid 3 Accent
2;\sdpriority70 \sdlocked0 Dark List Accent 2;\sdpriority71 \sdlocked0 Colorful Shading Accent
2;\sdpriority72 \sdlocked0 Colorful List Accent 2;\sdpriority73 \sdlocked0 Colorful Grid Accent
2;\sdpriority60 \sdlocked0 Light Shading Accent 3;\sdpriority61 \sdlocked0 Light List Accent
3;\sdpriority62 \sdlocked0 Light Grid Accent 3;\sdpriority63 \sdlocked0 Medium Shading 1 Accent
3;\sdpriority64 \sdlocked0 Medium Shading 2 Accent 3;\sdpriority65 \sdlocked0 Medium List 1
Accent 3;\sdpriority66 \sdlocked0 Medium List 2 Accent 3;\sdpriority67 \sdlocked0 Medium Grid 1
Accent 3;\sdpriority68 \sdlocked0 Medium Grid 2 Accent 3;\sdpriority69 \sdlocked0 Medium Grid 3
Accent 3;\sdpriority70 \sdlocked0 Dark List Accent 3;\sdpriority71 \sdlocked0 Colorful Shading
Accent 3;\sdpriority72 \sdlocked0 Colorful List Accent 3;\sdpriority73 \sdlocked0 Colorful Grid
Accent 3;\sdpriority60 \sdlocked0 Light Shading Accent 4;\sdpriority61 \sdlocked0 Light List Accent
4;\sdpriority62 \sdlocked0 Light Grid Accent 4;\sdpriority63 \sdlocked0 Medium Shading 1 Accent
4;\sdpriority64 \sdlocked0 Medium Shading 2 Accent 4;\sdpriority65 \sdlocked0 Medium List 1
Accent 4;\sdpriority66 \sdlocked0 Medium List 2 Accent 4;\sdpriority67 \sdlocked0 Medium Grid 1
Accent 4;\sdpriority68 \sdlocked0 Medium Grid 2 Accent 4;\sdpriority69 \sdlocked0 Medium Grid 3
Accent 4;\sdpriority70 \sdlocked0 Dark List Accent 4;\sdpriority71 \sdlocked0 Colorful Shading

[illegible]