

**“PENUNDAAN KEWAJIBAN PEMBAYARAN UTANG KREDITOR SEPARATIS
TERKAIT MASUKNYA INVESTOR BARU YANG MENGENYAMPINGKAN
KEABSAHAN
RAPAT KREDITUR”
(STUDI KASUS PUTUSAN PENINJAUAN KEMBALI
NOMOR 6 PK/PDT.SUS-PAILIT/2015)**

ABSTRAK

Studi ini bertujuan untuk menganalisis Bagaimana penyelesaian PKPU atas Kreditor Separatis oleh Hakim terkait pengenyampingan keabsahan Rapat Kreditur karena masuknya investor baru dalam kasus putusan Peninjauan Kembali nomor 6 PK/PDT.SUS-PAILIT/2015 dan Bagaimana perlindungan hukum bagi Kreditor Separatis terkait masalah investor baru dalam proses PKPU yang memberikan keadilan dan kepastian hukum.

Jenis penelitian ini adalah *yuridis normatif*. Spesifikasi penelitian yang digunakan deskriptif analitis. Sumber data terdiri dari data sekunder yang terbagi dalam bahan hukum primer dan sekunder. Pengumpulan data yang digunakan adalah kepustakaan, dokumenter.

Hasil penelitian dapat disimpulkan bahwa tindakan Hakim dalam melakukan perpanjangan rencana perdamaian seharusnya mengikuti kuorum dan tata cara pemungutan suara sesuai 281 ayat (1) b Jo 285 UU Kepailitan dan PKPU seharusnya tidak dapat dilakukan perpanjangan rencana perdamaian, dimana Keadilan serta Perlindungan Hukum bagi kreditur separatis tidak terwujud ketika dilakukannya perpanjangan rencana perdamaian dikarenakan hak eksekusi belum dapat dilaksanakan sesuai Pasal 55 ayat (1) UU Kepailitan dan PKPU.

Kata Kunci: Keabsahan Rapat Kreditor, Perlindungan Hukum, Kreditor Separatis, Investor Baru.

**"POSTPONEMENT OF DEBT PAYMENT OBLIGATION FOR SEPARATE CREDITORS RELATED TO NEW INVESTORS AND THE VALIDITY OF CREDITOR MEETINGS"
(CASE STUDY OF SUPREME COURT REVIEW DECISION NUMBER 6 PK/PDT.SUS-PAILIT/2015)**

ABSTRACT

This study aims to analyze how the suspension of debt payment obligations (PKPU) is resolved for separatist creditors by judges in relation to the disregard for the validity of the Creditors' Meeting due to the entry of a new investor in the case of Supreme Court Review Decision No. 6 PK/PDT.SUS-PAILIT/2015, and how legal protection is provided for separatist creditors regarding the issue of new investors in the PKPU process to ensure justice and legal certainty. This research is a normative juridical study with a descriptive analytical specification. The data sources consist of secondary data, which are divided into primary and secondary legal materials. The data collection methods used were literature review and documentary research. The research concludes that the judge's action in extending the peace plan should have followed the quorum and voting procedures in accordance with Article 281 paragraph (1) b in conjunction with Article 285 of the Bankruptcy and PKPU Law. The peace plan extension should not have been possible, as justice and legal protection for separatist creditors were not realized when the peace plan was extended because the right to execute could not be exercised in accordance with Article 55 paragraph (1) of the Bankruptcy and PKPU Law.

Keywords: *Validity of Creditors' Meeting, Legal Protection, Separatist Creditor, New Investor.*