

PERLINDUNGAN HUKUM TERHADAP PEMBELI YANG BERITIKAD  
BAIK ATAS DISENGKETAKANNYA OBYEK LELANG DALAM  
PERKARA PERDATA YANG LAIN

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**Abstrak**

Lelang merupakan kegiatan jual beli dan salah satu cara peralihan hak atas tanah. Pemenang lelang yang membeli suatu barang melalui pelelangan umum dapat pula disebut sebagai pembeli beritikad baik. Pelaksanaan lelang sendiri dapat meliputi berbagai pihak yang memiliki kepentingan masing-masing, seperti bank (kreditur), debitur, pejabat lelang, notaris, penanggung, dan pihak lainnya. Tidak jarang banyaknya pihak dalam proses lelang ini dapat menimbulkan suatu persoalan hukum baru yang terjadi karena benturan kepentingan yang dapat mengganggu hak pembeli beritikad baik dalam lelang. Penelitian dilakukan menggunakan metode penelitian yuridis normatif, yakni riset yang dilakukan melalui studi kepustakaan dan didasari oleh bahan hukum primer dan sekunder. Analisis dilakukan menggunakan pendekatan peraturan perundang-undangan dan pendekatan konseptual. Berdasarkan analisis yang dilakukan, maka diperoleh hasil penelitian bahwa pemenang lelang berhak untuk mendapat perlindungan hukum dan dikategorikan sebagai pembeli beritikad baik. Bentuk perlindungan hukum represif yang dapat diberikan berupa ganti rugi materiil dan imateriil.

**Kata Kunci:** Lelang, Perlindungan Hukum, Beritikad baik, Jual beli.

LEGAL PROTECTION OF GOOD FAITH BUYERS OVER DISPUTED  
AUCTION OBJECTS IN OTHER CIVIL CASES

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**Abstract**

*Auction is a buying and selling activity and one of the ways to transfer land rights. The auction winner who buys an item through a public auction can also be referred to as a good faith buyer. The implementation of the auction itself can include various parties who have their respective interests, such as banks (creditors), debtors, auction officials, notaries, insurers, and other parties. It is not uncommon that the number of parties in the auction process can lead to a new legal issue that occurs due to a conflict of interest that can interfere with the rights of good faith buyers in the auction. The research was conducted using normative juridical research methods, namely research conducted through literature studies and based on primary and secondary legal materials. The analysis was conducted using a statutory approach and a conceptual approach. Based on the analysis conducted, the research results obtained that the winner of the auction is entitled to legal protection and is categorized as a good faith buyer. The form of repressive legal protection that can be provided is in the form of material and immaterial compensation.*

**Keywords:** *Auction, legal protection, good faith, buying and selling.*