

**PEMBATALAN SURAT KEPUTUSAN KEPALA KANTOR REGIONAL I
BADAN KEPEGAWAIAN NEGARA TENTANG PENSIUN
DITINJAU DARI ASPEK PROSEDURAL**
**(Tinjauan Yuridis Terhadap Putusan Pengadilan Tata Usaha Negara Nomor :
01/G/2015/PTUN-YK)**

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ABSTRAK

Penelitian ini bersumber pada putusan PTUN Yogyakarta Nomor : 01/G/2015/PTUN-YK, yang akan menguraikan keabsahan Keputusan Tata Usaha Negara ditinjau dari aspek prosedural, serta bagaimana pertimbangan hukum hakim dalam menentukan keabsahan surat keputusan objek sengketa tersebut.

Tergugat dalam perkara *a-quo* adalah Kepala Kantor Regional I Badan Kepegawaian Negara, dan objek gugatannya adalah Surat Keputusan Kepala Kantor Regional I Badan Kepegawaian Negara Nomor : 000166/KEP/BV/23316/14 tertanggal 28 Oktober 2014 Mengenai Pensiun Atas Nama Yundarningsih S.N, S.Pd. Metode yang digunakan dalam penelitian ini adalah yuridis normatif dengan pendekatan yang digunakan adalah pendekatan perundang-undangan, pendekatan kasus dan pendekatan konseptual.

Majelis Hakim berpendapat bahwa Tergugat dalam mengeluarkan Surat Keputusan Objek Sengketa tidak sesuai dengan peraturan perundang-undangan yang berlaku, khususnya dalam aspek prosedural. Akibat hukum dikabulkannya gugatan Penggugat yakni Surat Keputusan Objek Sengketa menjadi batal, Tergugat berkewajiban mencabut Surat Keputusan Objek Sengketa dan menerbitkan Surat Keputusan baru.

Kata kunci : Pembatalan KTUN, Pensiun, Aspek Prosedural.

**THE CANCELATION OF ADMINISTRATIVE DECISION
ABOUT PENSION IN TERMS OF PROCEDURAL ASPECT
(Study of State Administrative Court Decision Yogyakarta No. 01 / G / 2015 /
PTUN.YK)**

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ABSTRACT

The research was sourced by the State Administrative Court Decision Yogyakarta No. 01 / G / 2015 / PTUN.YK. This study will explain the validity of an administrative decision in terms of procedural aspect, and how the legal considerations of judge in deciding the validity of an administrative decision.

Defendants in the case a quo is the head of the regional office of State Employment Agency, and the object of the lawsuit is the administrative decision No. 000166/KEP/BV/23316/14 about pension on behalf of Yundarningsih S.N, S.Pd. The method that used in this research is normative juridical approach with the approach of legislation, casebased approach, and the conceptual approach.

The judges opined that the head of the regional office of State Employment Agency had wrongly published the administrative decision because it's not in accordance with regulations, especially in terms of procedural aspect. As a result of the law granting plaintiff object of the cancellation of administrative decision, the Defendant is obliged to revoke the administrative decision that has been the object of the lawsuit and publish the new administrative decision.

Key words : *The Cancelation of Administrative Decision, Pension, Prosedural Aspect.*