

CHAPTER V

CLOSING

A. Conclusion

The legal considerations of the Judges in granting the lawsuit against the Decision of the Pati Religious Court Number 318/Pdt.G/2021/PA.Pt, are only based on Article 39 paragraphs (1) and (2) of the Law Number 1 of 1974 elucidation of Article 19 letter (f) jo. Government Regulation number 9 of 1975 jo. Article 116 letter (f) and Article 119 paragraph (2) letter (c) Compilation of Islamic Law. However, according to the researcher, it is better for the judge's legal considerations to add Article 116 letter (g) Compilation of Islamic Law and Article 33 and Article 34 paragraph (1) and paragraph (2) of Law Number 1 of 1974 as the basis for the Panel of Judges' legal considerations.

Based on the research and discussion of the Decision of the Pati Religious Court Number 318/Pdt.G/2021/PA.Pt in the contested divorce case, it can be concluded that the contested divorce occurred because the Defendant did not provide alimony to the Plaintiff, namely violating the taklik talak, between the Plaintiff and the Defendant there were constant disputes and fights, and both parties did not carry out their rights and obligations as husband and wife. Based on these reasons, the Panel of Judges granted the lawsuit filed by the Plaintiff by imposing talak one bain sughro against the Defendant. While the results of this study also

show that the legal consequences of divorce are contested, namely against alimony, against common property and against children. The Defendant (ex-husband) is obliged to provide mut'ah alimony and iddah alimony for 90 days to the Plaintiff (ex-wife) and hadhanah maintenance to the children.

B. Suggestions

In connection with the research that has been carried out by the Panel of Judges, researchers should be able to use Article 116 letter (g) Compilation of Islamic Law and Article 33 and Article 34 paragraph (1) and paragraph (2) of Law Number 1 of 1974 as a basis for legal considerations so as to provide justice for society.

