

**TINJAUAN YURIDIS PERBUATAN MELAWAN HUKUM AKIBAT
TIDAK TERPENUHINYA HAK-HAK KONSUMEN TENTANG
PERJANJIAN WEDDING ORGANIZER**

(STUDI PUTUSAN NOMOR 65/PDT.G/2023/PN TSM)

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ABSTRAK

Perkembangan dunia jasa modern menuntut adanya profesionalitas dan tanggung jawab hukum yang tinggi dari setiap pelaku usaha, termasuk penyedia jasa Wedding Organizer (WO). Dalam praktiknya, hubungan antara konsumen dan penyedia jasa tidak jarang menimbulkan permasalahan hukum, khususnya ketika hak-hak konsumen tidak terpenuhi sebagaimana mestinya. Salah satu contoh perkara tersebut terdapat dalam Putusan Pengadilan Negeri Tasikmalaya Nomor 65/Pdt.G/2023/PN Tsm, di mana pihak penyelenggara WO tidak melaksanakan tanggung jawabnya terhadap konsumen meskipun telah menerima seluruh pembayaran. Penelitian ini bertujuan untuk mengetahui pertimbangan hukum Majelis Hakim dalam mengkuafisir perbuatan melawan hukum (*onrechtmatige daad*) serta pertimbangan hakim dalam mengabulkan gugatan ganti kerugian karena perbuatan melawan hukum (*onrechtmatige daad*) pada Putusan Pengadilan Negeri Tasikmalaya Nomor 65/Pdt.G/2023/PN Tsm.

Metode penelitian yang digunakan adalah metode yuridis normatif dengan spesifikasi preskriptif analitis. Data yang digunakan merupakan bahan hukum primer dan sekunder, yang diperoleh melalui studi kepustakaan dan dianalisis menggunakan metode normatif kualitatif. Berdasarkan hasil penelitian, Adapun hasil penelitian: 1) Berdasarkan hasil penelitian terhadap Putusan Nomor 65/Pdt.G/2023/PN TSM, perkara ini termasuk dalam kualifikasi perbuatan melawan hukum yang bertentangan dengan kepatutan, ketelitian, dan kehati-hatian yang harus diindahkan dalam pergaulan masyarakat. Hal ini tampak dari tindakan Tergugat yang telah menerima pembayaran penuh dari Penggugat namun lalai membayar vendor dan tidak menunjukkan itikad baik. dan 2) Majelis Hakim dinilai tepat dalam mengabulkan gugatan ganti kerugian karena unsur-unsur Pasal 1365 KUHPerdara terpenuhi, yaitu adanya perbuatan melawan hukum, kesalahan, kerugian, dan hubungan kausal.

Kata Kunci: Perbuatan Melawan Hukum, Wedding Organizer, Perlindungan Konsumen, Ganti Rugi.

***A LEGAL REVIEW OF UNLAWFUL ACTS DUE TO THE FAILURE OF
CONSUMER RIGHTS REGARDING WEDDING ORGANIZER
AGREEMENTS
(STUDY OF DECISION NUMBER 65/PDT.G/2023/PN TSM)***

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ABSTRACT

The development of the modern service sector demands a high level of professionalism and legal responsibility from every business actor, including Wedding Organizer (WO) service providers. In practice, the relationship between consumers and service providers often gives rise to legal issues, particularly when consumer rights are not properly fulfilled. One example of such a case is found in the Tasikmalaya District Court Decision Number 65/Pdt.G/2023/PN Tsm, where the WO organizer neglected to fulfill its responsibilities to consumers despite having received all payments. This study aims to determine the legal considerations of the Panel of Judges in qualifying unlawful acts (onrechtmatige daad) as well as the judge's considerations in granting a claim for compensation for unlawful acts (onrechtmatige daad) in Tasikmalaya District Court Decision Number 65/Pdt.G/2023/PN Tsm.

The research method used is a normative juridical method with analytical prescriptive specifications. The data used are primary and secondary legal materials obtained through literature studies and analyzed using qualitative normative methods. Based on the research results, the following research results: 1) Based on the results of the study of Decision Number 65 / Pdt.G / 2023 / PN TSM, this case is included in the qualification of unlawful acts that are contrary to propriety, accuracy, and caution that must be observed in social interactions. This is evident from the actions of the Defendant who has received full payment from the Plaintiff but neglected to pay the vendor and did not show good faith. and 2) The Panel of Judges is considered appropriate in granting the claim for compensation because the elements of Article 1365 of the Civil Code are met, namely the existence of unlawful acts, errors, losses, and causal relationships.

Keywords: *Unlawful Acts, Wedding Organizer, Consumer Protection, Compensation.*