

## Analyzing the Ratio Decidendi: Court of Appeals Decision Reversing District Court's Ruling in an Election Process Dispute

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### Abstract

In practice, the General Election process disputes must be brought before the State Administrative Court. Decision Number 757/Pdt.G/2023/PN Jkt.Pst exceeded its jurisdictional limits. This is because the Central Jakarta District Court ruled over the dispute when it did not have the authority. The decision was revoked by decision Number 230/Pdt/2023/PT DKI due to its violation of applicable regulations regarding absolute competence. The legal basis for this revocation has been underscored in Article 470 of Law Number 7 of 2017 concerning General Elections and Article 25 of Law Number 48 of 2009 concerning Judicial Power. This study aims to determine the legal principle of decision Number 230/Pdt/2023/PT DKI, which overturned the Central Jakarta District Court's decision regarding the dispute over the General Election process. The research methodology utilized in this inquiry is normative legal research incorporating a statutory, conceptual, and case-based approach. The legal materials utilized include primary legal materials, such as laws, regulations, and court decisions, and secondary legal materials, including legal books, research journals, and theses pertinent to the research area. The findings indicate that the verdict issued by the DKI Jakarta High Court Judges' Panel was justified. As part of the Supreme Court's *voorpost* function, the Court of Appeals is responsible for addressing judicial technical and administrative matters that arise at the initial level.

## 1. Introduction

Absolute competence within the judicial system refers to the court's power to hear specific disputes as prescribed by the law. When a judicial body possesses absolute competence, it will give birth to a legally binding court decision (*inkracht*). Such court decisions operate under the legal principle of "*Res Judicata Pro Veritate Habetur*", which denotes that the judge's decision must be correct<sup>1</sup>. Every decision rendered by a judge must be respected, irrespective of its content<sup>2</sup>. Nevertheless, this principle contradicts reality as some court decisions exceed absolute competence and do not comply with legislation provisions. Agus Priyono, the General Chairperson of the Central Leadership Council of the Prima Party, and Domingus Oktavianus Tobu Kiik, the Secretary General of the Prima Party Central Leadership Council, were the plaintiffs. One example is Decision Number 757/Pdt.G/2022/PN Jkt.Pst, which concerns a lawsuit brought by the Adil Makmur People's Party (Prima Party) against the General Election Commission of the Republic of Indonesia (KPU RI). Hasyim Asy'ari, S.H., M.Si., Ph.D., the Chairman of KPU RI, represented the commission. The case arose as the Plaintiff felt aggrieved by the Defendant's actions following the disqualification (TMS) of the Prima Party during the Administrative Verification phase of

<sup>1</sup> Joko Widodo, "Penerapan Asas Putusan Hakim Harus Dianggap Benar," *Lex Journalica* 13 (April 2018): 67-90.

<sup>2</sup> Marios Janpieter Hutajulu, "Filsafat Hukum Dalam Putusan Pengadilan/ Hakim," *Jurnal Fakultas Hukum UKSW* 9 (April 2018): 91-100.

Political Party Candidates for the General Election. This was detailed in Minutes Number 232/PL.01.1-BA/05/2022 regarding Recapitulation of Administrative Verification Results of Political Parties Candidates for Elections dated October 13, 2022. As a result, the Prima Party cannot participate in the upcoming election stage for the Factual Verification of Political Party Candidates for the 2024 Election.

The Central Jakarta District Court (*PN Jakarta Pusat*) has granted the Prima Party's lawsuit entirely, directing KPU RI to restart all stages of the election and forbidding them from pursuing the remaining stages. Additionally, the court found KPU RI guilty of unlawful behavior (*Perbuatan Melawan Hukum*) and ordered them to pay IDR 500.000.000 in material damages. Furthermore, the KPU RI has been sentenced to halt the remaining stages of the Election after the verdict on March 2, 2023. They must restart the Election cycle, which will take around 2 years, 4 months, and 7 days, and pay court costs of IDR 410.000. Postponing elections can undermine the legitimacy of the government as it can lead to a loss of public trust in the democratic process, ultimately weakening the authority and credibility of the elected officials<sup>3</sup>. Furthermore, this delay can spark social and political unrest, including protests and demonstrations<sup>4</sup>. Based on the ruling above, it is evident that the Central Jakarta District Court lacks jurisdiction to adjudicate disputes concerning election procedures. The legal foundation for this matter is outlined in Article 471 of the General Elections Law (Law Number 7/ 2017), which clarifies that disputes regarding the electoral process, including those linked to the identification of political parties taking part in the elections, are forwarded to the State Administrative Court (PTUN) after the Election Supervisory Body (Bawaslu) has undertaken administrative inquiries.

The Central Jakarta District Court decided on the election postponement, followed by an appeal filed by KPU RI, resulting in Decision Number 230/Pdt/2023/PT DKI. KPU RI requested the panel of judges at the DKI Jakarta High Court (PT DKI Jakarta) to declare that the Central Jakarta District Court lacked the authority to hear the respondent's (formerly Plaintiff's) lawsuit. Additionally, the PT DKI Jakarta panel of judges ruled that the Central Jakarta District Court lacked the absolute competence to preside over the case, resulting in the cancellation of Decision Number 757/Pdt.G/2022/PN Jkt.Pst. This study is based on previous research titled "*Analisis Putusan Mahkamah Agung yang Membatalkan Putusan Pengadilan Tinggi Kupang dalam Perkara Pembunuhan Berencana*" written by Ridho Hadiansyah. Ridho Hadiansyah's research indicates that judges should base their decisions on the factual evidence presented in court to ensure legal certainty for the community<sup>5</sup>. This study focuses on how judges should consider the court's absolute competence when making judgments. The second citation is a prior study titled "*Ratio Decidendi Hakim dalam Perkara Tindak Pidana Asal Penipuan dengan Tindak Pidana Lanjutan Pencucian Uang*" conducted by Berry Ballen Saputra, Fien Mangiri, Roberto Rossi, and Puguh Prastyawan. The research findings indicate that the judges, in their decision, emphasized that the defendant's appeal could not be justified because the *Judex Facti* did not commit any errors in applying the law. The court tried the defendant in the present case according to the relevant criminal procedure law, and the court did not exceed its jurisdiction<sup>6</sup>. This study differs from previous research as the author aims to investigate the

<sup>3</sup> Denis Kurniawan, "Relevansi Penundaan Pemilihan Umum Tahun 2024 Dalam Perspektif Hukum Tata Negara Darurat," *Jurnal Ilmiah Kebijakan Hukum* 17 (March 2023): 97-110.

<sup>4</sup> Haslinda B. Anriani, "Dinamika Etnisitas Dan Konflik Politik Pada Pemilu Kada," *ResearchGate*, April 2020.

<sup>5</sup> Ridho Hadiansyah, "Analisis Putusan Mahkamah Agung Yang Membatalkan Putusan Pengadilan Tinggi Kupang Dalam Perkara Pembunuhan Berencana," *Jurnal Verstek* 10 (January 2022): 240-46.

<sup>6</sup> Berry Ballen Saputra et al., "Ratio Decidendi Hakim Dalam Perkara Tindak Pidana Asal Penipuan Dengan Tindak Pidana Lanjutan Pencucian Uang (Perbarengan Tindak Pidana)," *Jurnal Ikamakum* 1 (2021): 726-49.

grounds for the Panel of Judges of PT DKI Jakarta's nullification of Decision Number 757/Pdt.G/2022/PN Jkt.Pst. Avoiding biased or emotional language and using precise, formal vocabulary, this research will present a logical flow of information with clear causal connections between statements. Technical term abbreviations will be explained when first used, and the text will adhere to standardized formatting and citation conventions.

Moreover, the third reference is a previous study titled "*Ratio Decidendi Putusan Mahkamah Agung yang Membatalkan Putusan Pengadilan Negeri yang Dikuatkan oleh Putusan Pengadilan Tinggi Bandung terkait Pengoperan Tanah Garapan*" authored by Sinta Ayu Puteri. The study indicates that the Supreme Court decision overruled the Bandung District Court's decision, subsequently affirmed by the Bandung High Court decision, related to the transfer of cultivated land. The distinction in this study is that the author will concentrate on the CA's ruling that reversed the District Court's decision about the election process conflict. The three preceding studies are valuable sources for further research on *ratio decidendi*. Further research on the *ratio decidendi* is necessary because some judges are less observant while adjudicating or deciding a case due to misperceptions or lack of knowledge of the laws and regulations governing a dispute, leading to court decisions that surpass absolute competence. Therefore, the author aims to investigate the *ratio decidendi* of Decision Number 230/Pdt/2023/PT DKI, invalidating Decision Number 757/Pdt.G/2022/PN Jkt.Pst.

## 2. Methods

This study uses a normative legal research methodology with a conceptual approach, a focus on statutes, and an analysis of relevant cases. The study draws upon primary legal sources, including laws, regulations, court decisions, and relevant secondary legal materials such as books, journals, and theses. Collecting primary legal materials involves searching for literature on the laws and regulations relevant to the issues under examination. This search is conducted through a process that includes categorization, inventorying, identification of relevant laws and regulations, and the classification of legal materials based on research problems. In contrast, the collection of secondary legal materials involves conducting literature studies. The prescriptive analysis technique is utilized to create legal argumentation with objectivity. Standard methods in legal science can accomplish this technique.

## 3. Results and Discussion

### 3.1. Legal Background and Context Leading to the Decision

The PT's reasoning in Decision Number 230/Pdt/2023/PT DKI states, namely: Considering that the Court of Appeal will analyze the plaintiffs' arguments in the lawsuit, the primary issue in question pertains to the issuance of Minutes Number 232/PL.01.1-BAA/05/2022 dated October 13, 2022, and Minutes Number 275/PL.01.1-BA/05/2022 dated November 18, 2022 reports the Recapitulation of the Results of Administrative Verification of Political Party Candidates for the 2024 Elections. The defendant in the Administrative Verification issued BA 232/2022 and BA 275/2022, which precluded plaintiffs from proceeding to the factual verification stage. As a result, the plaintiffs were not designated as candidates for political parties participating in the 2024 elections;

Considering, in accordance with the provisions of Article 466 jo. Article 470 of Law Number 7/ 2017 jo. Article 4, paragraph (1), letter d of Law Number 30 of 2014 on Government Administration specifies that the State Administrative Court (Law Number 30/2014) has jurisdiction over disputes about the election process between election participants and disputes between election participants and organizers resulting from decisions made by the General Election Commission (KPU), Provincial KPU, and Regency/City KPU;

Considering that the provisions above comply with the guidelines outlined in Article 2, paragraph (1) of Supreme Court Regulation Number 2 of 2019, which addresses the resolution of governmental actions and the authority concerning illegal acts by government agencies and/or officials (Perma Number 2/2019), it is determined that cases of illegal actions by

government agencies and/or officials fall under the jurisdiction of the State Administrative Court;

Although the plaintiff's lawsuit is classified as a tort lawsuit under Article 1365 of the Civil Code (*Kitab Undang-Undang Hukum Perdata*), the subject matter of the dispute in this case arises from a decision made by the KPU. As a result, the authorities have categorized it as a tort, making it fall under the absolute competence of the State Administrative Court;

Considering the reasons mentioned above and legal considerations, the Court of Appeal disagrees with the Court of First Instance's assertion that there was a legal vacuum about the subject matter of the lawsuit, which falls outside the scope of Law Number 7/ 2017. Consequently, the Decision of the Court of First Instance, which claims the authority to hear the case in question, must be overturned;

Considering that the General Court or Central Jakarta District Court has been declared not authorized by absolute competence to hear the case, the defendant's objection regarding the unclear lawsuit and subject matter no longer requires consideration. Consequently, the remainder of the lawsuit must be declared invalid;

Considering that the appellants have been defeated, they are hereby ordered to pay the court costs incurred jointly and severally at both levels of court. Additionally, for the appeal level, the amount specified in the amended decision must be paid by the appellants.

Based on the above considerations, the PT DKI Jakarta judges panel declared the plaintiffs' lawsuit inadmissible. It stated that the general court, specifically the Central Jakarta District Court, lacks absolute competence to hear the case. Additionally, the decision of Central Jakarta District Court Number 757/Pdt.G/2022/PN Jkt.Pst was nullified. Articles 466 and 470 of Law Number 7/ 2017 serve as the legal basis for this ruling. Article 4, paragraph (1), letter d of Law Number 30/ 2014 states that disputes arising from the election process between participants and disputes between participants and organizers resulting from KPU decisions, Provincial KPU decisions, and Regency/City KPU decisions fall under the jurisdiction of PTUN. In addition, according to Article 2, paragraph (1) of Perma Number 2/2019, cases involving unlawful acts committed by government agencies or officials (*onrechtmatige overheiddaad*) fall under the jurisdiction of PTUN.

Each court has authority to receive, examine, adjudicate, and resolve a case.<sup>7</sup> Article 25 of Law Number 48 of 2009 (Law Number 48/2009) concerning Judicial Power states that each court has a regulation of its respective authority, commonly called absolute competence. The absolute competence of each court institution, namely Article 25 paragraph (2) of Law Number 48/2009, states that the general court has the authority to examine, hear, and decide criminal and civil cases in accordance with the provisions of laws and regulations. The examination usually requires important documents that the individual must report. Mediation or conciliation can be optional before trial, allowing parties to resolve the dispute amicably. Meanwhile, in adjudicating and deciding a case, the general judicial body will decide according to the analysis results and related evidence. In this process, the parties to the dispute can present arguments, give testimony, and introduce evidence to support their claims or defenses.<sup>8</sup>

In addition, Article 25 paragraph (3) of Law Number 48/2009 states that religious courts (PA) are authorized to examine, hear, decide, and settle cases between people of the Islamic faith in accordance with the provisions of laws and regulations. Examination in PA reflects a series of processes carried out with special consideration to resolve cases related to religious

<sup>7</sup> Noviana Permanasari, "Analisis Dasar Petimbangan Hukum Oleh Hakim Pengadilan Tinggi Jakarta Pusat No. 10/Pid.Sus-Tpk/2021/PT DKI," *Syntax Idea* 3 (September 20, 2021): 2158–78.

<sup>8</sup> Buchori Muslim and Bambang Panji Gunawan, "Kewenangan Absolut Pengadilan Negeri Terhadap Sengketa Pembatalan Sertipikat Hak Atas Tanah," *Jurnal Reformasi Hukum* 2 (January 2019): 17–23.



law. The stages involve spiritual and legal procedures to ensure fairness and conformity with religious norms. The PA resolves cases at first instance between people of the Muslim faith in divorce, inheritance, and bequests made under Islamic law, custom, and culture of origin, and waqf and shadaqah. Parties to a dispute may follow a mediation or conciliation process, which is seen as a way to settle disputes in accordance with religious teachings.<sup>9</sup>

Then, Article 25, paragraph (4) of Law Number 48/2009 states that the military court is authorized to examine, try, and decide cases of military crimes in accordance with the provisions of laws and regulations. Unlike the general court, the military court tries criminal offenses committed by soldiers or people who, by law, are equated with soldiers, members of a class or position or agency, or who are equated or considered as soldiers by decision of the commander with the approval of the Minister of Justice. Military justice is a form of exercising judicial power within the armed forces. Military justice involves carefully examining the facts, often including an internal investigation by military authorities before a court-martial. This examination not only considers aspects of the common law but also military rules and codes of conduct that govern the conduct of military personnel. During the trial, the parties involved give evidence, military witnesses give testimony, and evidence is presented to support the prosecution or defense. The military judge appointed to handle the case examines the evidence and arguments regarding applicable military law and regulations. Upon completion of the trial, the military judicial body issues a verdict reflecting both legal and military ethical considerations<sup>10</sup>.

Then, Article 25, paragraph (5) of Law Number 48/2009, states that the state administrative court has the authority to examine, hear, decide, and resolve state administrative disputes in accordance with the provisions of laws and regulations. The disputes referred to are disputes arising in state administrative law (TUN) between persons or legal entities and state administrative bodies or officials at the central and regional levels. In the TUN dispute trial, the party filing the lawsuit presents arguments and evidence to prove the non-compliance or impropriety of the government agency's decision. The examination of facts and law is carried out by Administrative Judges who are experts in the field of public administration. In addition, this court must also pay attention to aspects such as procedures, legal considerations, and administrative justice<sup>11</sup>.

In line with the aforementioned description, the author believes that the DKI Jakarta Regional Court panel of judge's grounds for annulling Decision Number 757/Pdt.G/2022/PN Jkt.Pst are accurate. This conclusion stems from the fact that the decision contravenes Article 25, paragraph (2) of Law Number 48/2009, which outlines the exclusive jurisdiction of the general court in hearing and resolving civil and criminal cases. Then, according to Article 466 in conjunction with Article 470 of Law Number 7/2017 and Article 4(1)(d) of Law Number 30/2014, disputes arising from the election process between participants and disputes between participants and organizers resulting from decisions made by the KPU, Provincial KPU, and Regency/City KPU fall under the jurisdiction of the PTUN. From these legal bases, it is clear that the decision made by the Panel of Judges of the PT DKI Jakarta is in accordance and consistent with the applicable laws and principles. This consistency is crucial to maintaining public trust in the judiciary's integrity and resolving electoral disputes. In addition, the

<sup>9</sup> Puji Lestari, "Ratio Decidendi Hakim Pengadilan Negeri Kelas IB Blitar Tentang Perjanjian Jual Beli Tanah Tinjauan Teori Keadilan Hukum Islam" (Universitas Islam Negeri Maulana Malik Ibrahim, 2020).

<sup>10</sup> Niken Subekti Budi Utami and Supriyadi, "Yurisdiksi Peradilan Terhadap Prajurit Tentara Nasional Indonesia Sebagai Pelaku Tindak Pidana," *Yustisia* 3 (August 2019): 100-107.

<sup>11</sup> Umar Dani, "Memahami Kedudukan Pengadilan Tata Usaha Negara Di Indonesia: Sistem Unity of Jurisdiction Atau Duality of Jurisdiction? Sebuah Studi Tentang Struktur Dan Karakteristiknya," *Jurnal Hukum Dan Peradilan* 7, no. 3 (December 18, 2018): 405, <https://doi.org/10.25216/jhp.7.3.2018.405-424>.

considerations given by the Panel of Judges of the PT DKI Jakarta also embody compliance with laws and regulations that reflect legal certainty and expediency in society.

### **3.2. Impact on Legal Practices: Examining Changes or Adjustments Triggered by the Decision**

Compliance or violation of legal rules has consequential outcomes. Complying with the law creates legal certainty, protects rights, and provides societal stability. Conversely, breaking the law results in negative ramifications, such as criminal penalties, fines, or revocation of licenses. Legal consequences extend across numerous fields, including criminal, civil, administrative, and other areas. Understanding the legal ramifications of an action is beneficial in avoiding potential negative outcomes and ensuring compliance with the law to uphold justice and social stability.<sup>12</sup>

In legal studies, three distinct categories of legal effects are recognized. The first type encompasses the legal effects that lead to initiating, altering, or terminating a particular legislation. This legal outcome carries substantial consequences in the legal system. Specifically, it creates a new legal status resulting from actions recognized and regulated by law, reflects a change in an existing legal status due to transformation or modification, and signifies the disappearance of a legal status where it no longer applies or exists, often due to events that terminate the previous legal status' validity. Second, legal implications result in creating, altering, or terminating a specific legal relationship. This effect is vital in the legal system as it reflects the interactions among individuals, organizations, and/or legal entities. The birth of legal relationships pertains to establishing new legal relationships due to events or actions governed by the law. The modification or transformation of pre-existing legal relations is reflected in changes in legal relations.<sup>13</sup>

Terminating a legal relationship signifies that said relationship is no longer applied or in effect. Comprehending and navigating the legal repercussions related to the creation, alteration, and termination of a legal relationship can assist in ensuring adherence to the law, upholding justice, and promoting safety and order within society. Additionally, a legal subject (tort) can unintentionally face legal sanctions due to said consequences. Legal sanctions are the negative consequences that result from committing unlawful acts. When an individual or entity violates legal regulations, they may face sanctions imposed by the legal system, including fines, penalties, deprivation of certain rights, or even imprisonment.

It is important to always adhere to applicable legal rules to avoid such consequences. When an individual or entity violates legal regulations, they may face sanctions imposed by the legal system, including fines, penalties, deprivation of certain rights, or even imprisonment. Criminal penalties may entail imprisonment or fines, significantly affecting the liberty and reputation of individuals. Additionally, civil sanctions such as financial and reputational damages may be imposed on legal entities. These lawful outcomes commonly drive conformity with regulations to maintain societal order and equity. Therefore, all parties must comprehend the legal ramifications of illegal actions to enable wise and responsible decision-making in compliance with relevant legal tenets<sup>14</sup>.

In accordance with the explanation above, Syarifin asserts that legal consequences comprise all the resultant effects stemming from legal activities performed by legal entities on legal objects or other outcomes arising from specific legal events that are recognized as legal

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<sup>12</sup> Jorawati Simarmata, "Akibat Hukum Putusan Mahkamah Konstitusi Terhadap Rekomendasi Pansus Hak Angket DPR," *Jurnal Legislasi Indonesia* 16 (March 2019): 117-32.

<sup>13</sup> Jazim Hamidi, *Revolusi Hukum Indonesia: Makna, Kedudukan, Dan Implikasi Hukum Naskah Proklamasi 17 Agustus 1945 Dalam Sistem Ketatanegaraan RI* (Yogyakarta: Konstitusi Press & Citra Media, 2006).

<sup>14</sup> Ilham Fariaduz Zaman, "Pengertian Perbuatan Melawan Hukum," *Pinter Hukum*, April 15, 2023.

consequences by the relevant law. To determine whether a legal effect has come to pass, the following factors must be taken into consideration:<sup>15</sup>

1. The occurrence of lawful subjects performing actions against lawful objects or the resulting consequences of an action, which have been standardized by law;
2. The performance of instantaneous actions intersects with exercising rights and obligations governed by laws and regulations.

Based on the reasoning outlined in decision Number 230/Pdt/2023/PT DKI concerning the DKI Jakarta District Court's overturning of the Central Jakarta District Court's decision regarding the electoral dispute, it can be clarified that according to Minutes Number 232/PL.01.1-BAA/05/2022 dated October 13, 2022 and Minutes Number 275/PL.01, issued by the Defendant for the administrative verification of political party candidates for the 2024 Election, summarizes the results of the verification process based on BA 232/2022 and BA 275/2022. The report states that Prima Party failed to proceed to the factual verification stage and was not selected as a candidate political party. The decision concluded that the Central Jakarta District Court's decision exceeded its jurisdiction due to its inconsistency with Article 466 jo. Article 470 of Law Number 7/ 2017 jo. Article 4, paragraph 1, letter d of Law Number 30/ 2014 stipulates that disputes arising from the electoral process between participants or between participants and organizers due to decisions issued by the KPU, Provincial KPU, and Regency/City KPU shall be under the jurisdiction of the PTUN. Furthermore, Section 2(1) of Perma Number 2/ 2019 clarifies that the PTUN has jurisdiction over cases involving unlawful actions committed by government agencies and/or officials (*onrechtmatige overheidsdaad*). While the lawsuit mentioned in Decision Number 757/Pdt.G/2023/PN Jkt.Pst falls under the jurisdiction of *Perbuatan Melawan Hukum* as outlined in Article 1365 of *Kitab Undang-Undang Hukum Perdata*, the dispute concerns the KPU's decision. Consequently, the case involves *Perbuatan Melawan Hukum*, committed by the authorities, and falls within the PTUN's absolute competence.

From these considerations, PT DKI Jakarta, through decision Number 230/Pdt/2023/PT DKI, has canceled decision Number 757/Pdt.G/2022/PN Jkt.Pst and stated that the *PN Jakarta Pusat* lacks absolute competence to hear the case. According to the author, the decision made by the *PN Jakarta Pusat* is not in accordance with the concept of absolute competence of the court. In this case, *PN Jakarta Pusat* cannot decide cases related to election process disputes. The authority to hear the dispute should be the authority of PTUN, as stated in Article 469 of Law Number 7/2017. Therefore, the decision contained in decision Number 230/Pdt/2023/PT DKI is correct. This decision necessitates that the KPU RI proceed with the ongoing 2024 Election stages per the prescribed timeline specified by applicable laws and regulations. This decision has effectively averted violations of Article 22 letter e of the 1945 Constitution (UUD NRI 1945), which mandates that elections must be conducted every five years.

#### 4. Conclusions

The ruling by PT DKI Jakarta Number 230/Pdt/2023/PT DKI to invalidate decision Number 757/Pdt.G/2022/PN Jkt.Pst due to exceeding absolute competence was appropriate. The PT's judges determined that the State Administrative Court has jurisdiction over resolving the electoral process dispute. This reasoning is supported by Article 466 jo. Article 470 of Law Number 7/ 2017. Article 4, paragraph 1, letter d of Law Number 30/ 2014 states that cases of unlawful acts by government agencies and/or officials (*onrechtmatige overheiddaad*) are under the authority of the PTUN. Additionally, according to Article 2, paragraph 1 of Perma Number 2/ 2019, the PTUN is responsible for such cases. Furthermore, Article 25 of Law Number 48/ 2009 has established the absolute competence of judicial institutions. Canceling decision

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<sup>15</sup> Pipin Syarifin, *Pengantar Ilmu Hukum* (Bandung: Pustaka Setia, 1999).

Number 757/Pdt.G/2022/PN Jkt.Pst by the Judges Panel of PT DKI Jakarta will result in legal consequences requiring KPU RI to proceed with the 2024 Election stage on a predetermined schedule based on relevant laws and regulations. According to the findings above, court rulings surpass the absolute competency of judicial bodies in Indonesia. This occurrence needs to be closely monitored by the Supreme Court, which serves as the institution responsible for overseeing the judicial entities in the country. To prevent such incidents from happening again, the Supreme Court ought to enhance its supervision. Moreover, a judge should maintain professionalism and objectivity when evaluating and adjudicating a case. They must comprehend the laws and regulations that pertain to the case to ensure that their decision falls within the scope of their jurisdiction.

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