

ABSTRAK

Sengketa ekonomi syariah di Indonesia menjadi salah satu isu penting dalam penerapan hukum Islam dalam sektor ekonomi. Pengadilan Agama, sebagai lembaga yang berwenang menangani perkara ekonomi syariah, memegang peran krusial dalam menegakkan keadilan sesuai dengan prinsip-prinsip syariah. Namun, dalam praktiknya, tidak semua gugatan dapat diterima, salah satunya pada putusan Nomor 462/Pdt.G/2024/PA.Gs di Pengadilan Agama Gresik yang menolak gugatan sengketa ekonomi syariah. Penelitian ini bertujuan untuk mengidentifikasi alasan-alasan yang digunakan oleh hakim Pengadilan Agama Gresik dalam menolak gugatan pada perkara tersebut, mendeskripsikan bagaimana putusan hakim dalam menangani perkara sengketa ekonomi syariah, dan menganalisis pertimbangan yang diambil oleh hakim dalam penolakan sengketa ekonomi syariah tersebut.

Metode penelitian yang digunakan adalah penelitian kualitatif kepustakaan (*library research*) dengan pendekatan yuridis normatif, yang fokus pada pembahasan alasan pertimbangan hakim dalam menolak gugatan pada putusan Pengadilan Agama Gresik Nomor 462/Pdt.G/2024/PA.Gs. Teknik pengumpulan data dilakukan melalui dokumentasi dan wawancara. Data dianalisis menggunakan metode analisis deskriptif.

Hasil penelitian menunjukkan bahwa (1) Gugatan dalam perkara sengketa ekonomi syariah putusan Nomor 462/Pdt.G/2024/PA.Gs ditolak karena kurangnya bukti, baik berupa surat maupun kesaksian, yang dapat mendukung gugatan penggugat. Akibatnya, gugatan dianggap tidak dapat diterima oleh Pengadilan Agama. (2) Pertimbangan hakim dalam menolak sengketa ekonomi syariah pada perkara Nomor 462/Pdt.G/2024/PA.Gs menekankan pentingnya bukti yang sah dan jelas dalam proses peradilan, di mana ketiadaan bukti yang cukup menyebabkan perkara tidak dapat dilanjutkan.

Kata Kunci: Pertimbangan Hakim, Putusan, Sengketa Ekonomi Syariah.

ABSTRACT

Sharia economic disputes in Indonesia are one of the important issues in the application of Islamic law in the economic sector. The Religious Court, as an institution authorized to handle sharia economic cases, plays a crucial role in upholding justice in accordance with sharia principles. However, in practice, not all lawsuits can be accepted, one of which is in decision Number 462Pdt.G/2024/PA/Gs at the Gresik Religious Court which rejected the sharia economic dispute lawsuit. This study aims to identify the reasons used by the Gresik Religious Court judge in rejecting the lawsuit in the case, describe how the judge's decision handles the sharia economic dispute case, and analyze the considerations taken by the judge in rejecting the sharia economic dispute.

The research method used is qualitative library research with a normative legal approach, which focuses on discussing the reasons for the judge's considerations in rejecting the lawsuit in the Gresik Religious Court decision Number 462/Pdt.G/2024/PA.Gs. Data collection techniques are carried out through documentation and interviews. Data were analyzed using descriptive analysis methods.

The results of the study show that (1) The lawsuit of the sharia economic dispute case decision Number 462/Pdt.G/2024/PA.Gs was rejected due to lack of evidence, either in the form of letters of testimony, that could support the plaintiff's lawsuit. As a result, the lawsuit was considered unacceptable by the Religious Court. (2) The judge's consideration in rejecting the sharia economic dispute in Case Number 462/Pdt.G/2024/PA.Gs emphasizes the importance of valid and clear evidence in the judicial process, where the absence of sufficient evidence causes the case to not be able to proceed.

Keywords: Judge's Consideration, Decision, Sharia Economic Dispute.