

ABSTRAK

Pengaturan terkait dengan proses permohonan pailit telah diatur secara riid dalam Undang-Undang Kepailitan dan PKPU yang ditunjang oleh adanya SEMA No 2 tahun 2016 tentang Efisiensi dan Transparansi Penanganan Perkara Kepailitan di Pengadilan. Berbeda halnya dengan Pelaksanaan dari adanya Putusan Pailit yakni Proses Pengurusan dan Pemberesan Harta Pailit. UUK dan PKPU memberikan rambu-rambu terkait dengan pelaksanaan dari Proses Pengurusan dan Pemberesan Harta Pailit agar tidak berlangsung secara berlarut-larut. Namun, terdapat regulasi lain diluar Undang-Undang Kepailitan dan PKPU yang secara tersirat mengatur mengenai batasan Proses Pengurusan dan Pemberesan Harta Pailit. Akibat dari adanya Proses Pengurusan dan Pemberesan Harta Pailit oleh Kurator yang berlarut-larut ini, mengakibatkan adanya kerugian bagi *stakeholder*, terlebih Debitor Pailit. Oleh karena itulah, Kurator harus mempertanggungjawabkan tindakannya tersebut.

Kata Kunci : Kepailitan, Pengurusan dan Pemberesan, Harta Pailit, Berlarut-larut, Kurator

ABSTRACT

Regulations related to the bankruptcy request process have been regulated legally in the Bankruptcy and PKPU Law which is supported by the existence of SEMA No. 2 of 2016 concerning Efficiency and Transparency in the Handling of Bankruptcy Cases in the Courts. Unlike the case with the Implementation of the Decision of the Bankruptcy, namely the Process of Managing and Providing Bankruptcy. UUK and PKPU provide signs related to the implementation of the Bankruptcy Administration and Order Process so that it does not take place protracted. However, there are other regulations outside of the Bankruptcy and PKPU Law which implicitly stipulate the limitations of the Bankruptcy Administration and Provision Process. As a result of the Process of Provision and Disbursement of Bankrupt Asset by the Curator who dragged on, resulting in losses for stakeholders, especially Bankruptcy Debtors. For this reason, the Curator must take responsibility for his actions.

Keywords: Bankruptcy; Management and Ordering; Bankruptcy; Curator protracted