

Legal Force of Evidence in Court Against Landowners Acting in Good Faith with Letter C Evidence Above Which Another Party's Certificate of Ownership is Issued

Kahfi Purwana Graha¹⁾, Artaji²⁾ & Betty Rubiati³⁾

¹⁾Faculty of Law, Universitas Padjadjaran, Indonesia, E-mail: kahfi23001@mail.unpad.ac.id

²⁾Faculty of Law, Universitas Padjadjaran, Indonesia, E-mail: artaji@unpad.ac.id

³⁾Faculty of Law, Universitas Padjadjaran, Indonesia, E-mail: [bette.rubiati@unpad.ac.id](mailto:betty.rubiati@unpad.ac.id)

Abstract. *The Basic Agrarian Law stipulates that land ownership rights can be inherited from generation to generation. One of the main objectives of the Basic Agrarian Law is to provide legal certainty regarding land rights for all citizens. However, many problems are still found related to Letter C, where land registered with Letter C is actually issued a certificate of ownership in the name of another party. This condition creates legal uncertainty for Letter C holders, because in judicial practice there are differences in legal considerations between decisions. Some decisions grant claims for ownership disputes filed by Letter C holders, while other decisions reject similar claims. The purpose of this study is to identify and analyze the legal force of evidence in court against landowners who act in good faith with evidence of Letter C on which a certificate of ownership of another party is issued. The results of the study indicate that evidence of Letter C has legal force in court, as long as it can be proven true and supported by other evidence, including documentary evidence, witness statements, confessions of the parties and the results of on-site inspections (descente).*

Keywords: Documentary; Evidence; Land; Letter C.

1. Introduction

Land is one of the most important natural resources for human life because its functions and roles cover various aspects of life and livelihoods, both socially, economically, politically, and culturally. In addition to these aspects, land is also related to legal aspects and legal conflicts (Redhawati & Faniyah, 2025). The Basic Agrarian Law stipulates that land ownership rights can be inherited from generation to generation, so that ownership can be continued from one generation to the next (Ratu & Santika, 2025). Legal certainty regarding land rights plays an important role in realizing justice in the distribution and control of land among various levels of society in a country. Therefore, regulations regarding land

rights should be designed to favor small community groups, so as to create social justice while ensuring legal protection for their land ownership (Nurhadi, 2025).

One of the main objectives of the Basic Agrarian Law is to provide legal certainty regarding land rights for all citizens. Given the importance of legal certainty in land ownership, particularly in the context of state affairs, Indonesia's agrarian legal system regulates the mechanism of land registration as a means of ensuring legal clarity for rights holders (Hutomo et al., 2024). Under these provisions, land certificates are positioned as valid evidence and have full legal force, so that their owners receive protection and recognition from the state. With the existence of certificates, the existence and position of land rights holders obtain clear legitimacy and definite legal protection (Prihatmaka et al., 2025).

In order to provide legal certainty for land rights holders, it is necessary to emphasize the position of certificates as evidence that has legal force. These certificates must be considered valid and correct, both in daily legal transactions and in the process of dispute resolution in court, as long as the information contained therein is in accordance with the data in the survey report and land registry (Hajati et al., 2025). This provision is confirmed in Article 32 Paragraph (1) of Government Regulation Number 24 of 1997 concerning Land Registration, which was later amended by Government Regulation Number 18 of 2021 concerning Management Rights, Land Rights, Apartment Units, and Land Registration.

The author found a case regarding land ownership based on Letter C that was disputed with the existence of a Certificate of Ownership, namely in the Bandung District Court Decision Number: 281/Pdt.G/2022/PN.Bdg, dated April 4, 2023, in conjunction with the Bandung High Court Decision Number: 382/Pdt/2023/PT.BDG, dated July 27, 2023, in conjunction with the Decision of the Supreme Court of the Republic of Indonesia Number: 269/PK/PDT/2025, dated March 19, 2025. where the Plaintiffs hold evidence registered in the village Letter C and the Defendant holds proof of land ownership, namely the Certificate of Ownership, overlapping on the entire same land object. The result of the decision was that the lawsuit was granted and the Defendant's exception was rejected.

This research was conducted because there are still many problems related to Letter C, where on land registered with Letter C, a certificate of ownership is issued in the name of another party. This condition creates legal uncertainty for Letter C holders. This issue was chosen as the object of research because in judicial practice there are differences in legal considerations between decisions. Some decisions grant ownership dispute lawsuits filed by Letter C holders, while other decisions reject similar lawsuits. This has become a discourse regarding the legal force of Letter C evidence in court.

The main issue in this dispute stems from the existence of ownership claims by other parties over a plot of land, even though the actual location and history of

ownership are different. This situation raises the suspicion that one of the parties made a mistake in determining the location and position of the disputed land, especially due to differences in the Persil, Blok, and Kohir recorded by each party as the history of the land. The problem becomes even more complex because land ownership based solely on Letter C often does not have sufficient evidentiary value. This is because a Certificate of Ownership is the strongest and most legally valid form of evidence of ownership. Therefore, this situation creates legal uncertainty for landowners based on Letter C, even though they actually control and utilize the land.

From the above issues, a question can be drawn: what is the legal strength of evidence in court for bona fide landowners with Letter C evidence on which another party's certificate of ownership is issued, as viewed from civil procedural law?

2. Research Methods

In conducting this research, a normative juridical approach was used. This approach is a type of literature research conducted by referring to legal materials (Ali, 2021). This approach involves the analysis of theories, concepts, legal principles, and applicable laws and regulations. This research also utilizes sources such as books, literature, legal journals, and scientific works relevant to the research topic. The author downloaded these pages from the official website of the Supreme Court's decision directory Number: 281/Pdt.G/2022/PN.Bdg Bandung District Court.

3. Result and Discussion

Law serves as an instrument of development and a means of social renewal, ideally realized through the formulation of regulations in strategic sectors, particularly those related to the dynamics of business transformation in the digital age. Regarding the function of legal norms, Sudikno Mertokusumo explains that the essence of legal norms is to protect human interests. These norms serve to maintain social order and ensure legal certainty, so that the main objective of law, which is to create order in society, can be realized (Prabowo & Nugroho, 2021). Land administration in Indonesia has historical roots that can be traced back to the Dutch colonial period through the implementation of the Landrente system. Landrente is a mechanism for collecting taxes on land that emphasizes the importance of structured and documented ownership records (Sari & Hidayat, 2023). These records then served as the basis for the formation of the land administration system in Indonesia. During that period, the colonial government issued various types of documents related to land registration, including girik, petuk, and Letter C, whose influence is still felt today in the implementation of national land administration (Ratrisnanti, 2025).

Letter C is a land ownership document that contains information about a property. Specifically, Letter C serves as legal proof of land ownership registered at the village or sub-district office. This document has a historical and administrative role, namely as a record of tax collection and as a reference for land identity since the colonial era, as well as being a proof of ownership that is officially recorded by the village or sub-district office (Andari et al., 2023). The Letter C book serves as proof of land ownership by a person when they intend to obtain a certificate and register the land in their name. In the process of converting customary land into customary ownership rights, the existence of the previous Letter C is an important prerequisite, serving as the legal basis for recognition of ownership (Rohmatika et al., 2023).

In the process of verification, judges are given the authority to examine and make decisions on the facts presented. This evidence serves as a means to convince the judge of the truth of the arguments underlying the lawsuit and to assess the validity of the counterarguments submitted by the opposing party (Rum, 2025). Evidence serves to convince the judge of the occurrence of a particular event, so that the verdict can be based on that evidence. In the realm of civil procedure law, the focus of evidence is the validity of the events submitted by the plaintiff and defendant in a dispute (Manasa et al., 2025). The object of focus of evidence is events that have taken place, as described through the arguments presented by the plaintiff and defendant.

The burden of proof plays a central role in the legal mechanism of evidence in civil cases. Determining which party should bear this burden, whether partially or fully, requires serious consideration, as errors in its determination can lead to injustice for the party burdened and benefit the other party. Therefore, the principles and practices of applying the burden of proof must be thoroughly understood in order to avoid errors in its placement (Balqis et al., 2025).

Bandung District Court Decision Number: 281/Pdt.G/2022/PN.Bdg, dated April 4, 2023, in which the Plaintiffs hold registered evidence in the village Letter C and the Defendant holds proof of land ownership, namely the Certificate of Ownership, overlapping on the entire same land object. The lawsuit was granted and the Defendant's exception was rejected. The case began when the Plaintiffs were the heirs of the late Djumirasih and the late Suryadinata based on the Heir Determination No. 416/Pdt.P/2015/PA.Cmi dated April 30, 2015. The late Djumirasih had inherited customary land based on Letter C No. 190 in the name of Djumirasih, Parcel Number 89 S.IV, covering an area of approximately 300 da or 3,000 m², located in Cisaranten Kulon. That the late Djumirasih during her lifetime and all her heirs had never sold or transferred the rights to the inherited land in any form, either in whole or in part, to another party, in casu to the Defendant. The Plaintiffs are aware of the inheritance land left behind by the late Djumirasih, including Letter C No. 190 in the name of Djumirasih, Parcel Number 89 S. IV, which is claimed by other parties without the knowledge of all heirs, so the Plaintiffs feel

responsible for trying to find out who claims and feels they own the disputed inherited land belonging to the late Djumirasih.

The Plaintiffs then learned that the party claiming and feeling that they owned the inheritance land belonging to the Plaintiffs, from part of the inheritance land, Letter C No. 190 in the name of Djumirasih, Parcel Number 89 S.IV, belonging to the late Djumirasih, was the DEFENDANT. The inheritance land based on Letter C No. 190 in the name of Djumirasih covers an area of approximately 300 da or 3,000 m² located at Parcel Number 89 S. IV, Cisaranten Kulon Village, Arcamanik District, Bandung City, owned by the late Djumirasih, it is known that part of the area of the inheritance land in question, namely approximately 824 m², was previously rice fields but has now become dry land after being taken over and managed by the Plaintiffs, but is now claimed and considered to be owned by the DEFENDANT. When the heirs (the Plaintiffs) were managing the disputed inherited land, The Defendant admitted and claimed to be the owner of part of the disputed inherited land, which is known based on information that the Defendant has Ownership Certificate No. 2681, Cisaranten Kulon Village, Arcamanik District, Bandung City, covering an area of 300 square meters registered in the name of Pudjo Sudjarwo (Defendant), which originates from the Cisaranten Block. It is known that the land subject to inheritance belongs to the Plaintiffs based on Letter C No. 190 in the name of Djumirasih, Parcel Number 89 S.IV in the Randu Block, while the Certificate of Ownership held by the Defendant originates from the Cisaranten Block.

In addition, in the Defendant's Certificate of Ownership Situation Drawing, the southern side borders on a planned road (Situngkir et al., 2025). However, in fact, on the ground, the southern side borders on the Customary Land owned by Djumirasih. That in the Situation Drawing of the Defendant's Certificate of Ownership, the eastern side borders on the Customary Land owned by the Residents, whereas in fact, from the past until now, the eastern side borders on Jalan Geologi I. Also, based on Measurement Report Number: 1387/BA-200.5/XII/2019, dated December 5, 2019, issued by Co-Defendant I, which was submitted by the Defendant's Request for Boundary Restoration, it is not located on the land inherited by the Plaintiffs but is located elsewhere.

On that basis, the panel of judges considered that, in essence, it was indeed the plaintiffs who were entitled to the disputed land, based on the Letter C and other supporting documentary evidence, as well as the testimony of witnesses who had previously worked on the disputed land. According to the researcher, the considerations made by the panel of judges were appropriate and correct, which essentially stated that the plaintiffs were the heirs of Djumirasih and Suryadinata, as evidenced by the Heir Determination issued by the Cimahi Religious Court Number: 416/Pdt.P/2015/PA/Cmi. As for the alleged unlawful acts of the defendants, which have been proven, the panel of judges based its considerations on the results of the on-site inspection (descente) on January 13, 2023. Thus, the

panel of judges concluded that the plaintiffs' argument was indeed correct in that the object of their inheritance was located at that location based on Letter C Number 190 Persil 89 S. IV, which is recorded in Book C of the Cisaranten Kulon Village. In addition, the panel of judges considered the location of the land that is the subject of the dispute in this case, which essentially found that the Randu block and the Cisaranten block, although located in the same village, are in different locations, even though they are still in the same village, namely Cisaranten Kulon Village. Thus, the panel of judges considered that the object of the dispute in the case a quo was located in the Randu block based on the results of a local inspection (descente) and evidence from a statement from the head of Cisaranten Kulon Village, which is currently known as Jalan Geologi I RT 07/RW 05, Cisaranten Kulon Village, as argued by the Plaintiffs.

In addition, the panel of judges considered the Defendants' Certificate of Ownership, which essentially no longer has binding legal force because it has been proven to be administratively flawed and declared invalid by a court decision that has the force of law (inkracht van gewijsde) (Nahumury et al., 2023). The panel of judges reasoned in its consideration that the land certificate was not absolute evidence because the land certificate could still be declared to have no legal force in accordance with the principle of presumption of validity (presumptio iustae causa), as long as the opposing party could prove in court that the disputed land certificate contained incorrect or erroneous information.

This shows that the panel of judges, in considering the Letter C evidence, based its decision on the theory of subjective legal evidence, which means that the party claiming to have rights or wishing to assert its rights has the obligation to prove the events on which the claim is based (Febriansyah et al., 2025). Thus, the Plaintiff became the first party to provide evidence, because they were the ones who filed the lawsuit against the Defendant. However, the Plaintiff's burden of proof does not cover all of the arguments submitted, but is limited to the events that form the basis of their rights. Meanwhile, the Defendant is obliged to prove general and specific events that could negate the Plaintiff's claim. The Defendant does not need to provide evidence if they explicitly accept all of the arguments submitted by the Plaintiff.

Although the panel of judges is bound by valid evidence, whereby judges can only make decisions based on evidence specified by law (Mendrofa et al., 2025), as stipulated in Article 164 HIR or 1866 of the Civil Code, based on this article, evidence takes the form of written evidence or letters, witness evidence, presumption, confession, and oath. In the court decision examined here, the panel of judges considered not only the written evidence, but also used the evidence of confession, which was not denied by the parties in their responses, as well as the witness evidence presented by the parties during the court hearing. The court also conducted a local inspection (descente) to determine the plot, block, and object in dispute, as the parties had indicated the same location. In the researcher's view,

this was intended to enable the panel to determine the extent of the legal force of the documentary evidence in the form of Letter C at the trial. This is because the defendant already had a certificate of ownership, which, in accordance with the provisions of Article 32 paragraph (1) of Government Regulation Number 27 of 1997 concerning Land Registration, is the strongest evidence of ownership.

In relation to the principle of evidentiary weight regarding documentary evidence in civil procedure law, the panel of judges adhered to the principle of evidentiary weight of opposition, which essentially refers to the ability of a piece of evidence to defeat or nullify the evidence submitted by the opposing party. For example, if plaintiff A accuses defendant B of having the wrong location on his title deed, even though he presents several pieces of evidence, plaintiff A can refute that the location of defendant B's land is not where the disputed object is located.

Furthermore, because the Letter C document has been agreed upon as authentic documentary evidence, because it was issued by an authorized official in this case, the Village Head, the evidentiary power of the letter in court also applies based on the principle of material evidentiary power, which can be interpreted as providing certainty regarding the content or material of the deed, ensuring that the statements and actions taken by officials or parties are in accordance with what is contained in the deed. According to the provisions of Article 165 of the HIR, authentic deeds are recognized as final evidence for the parties, including heirs and beneficiaries, regarding the truth of everything contained therein.

In addition, the panel of judges' considerations in deciding and adjudicating cases are based on the evidentiary value of authentic deeds based on the aspect of the evidentiary value of authentic deeds, which can be interpreted in general as meaning that official deeds do not have evidentiary value because they only confirm what has been done or seen by the official. There is an exception for deeds issued by the Civil Registry Office. Documents that are extracts or direct copies of the original list are considered materially correct, provided that their contents match the original records, unless there is evidence to the contrary. (Laila Rasyid and Herinawati; 2015).

4. Conclusion

The legal evidentiary strength of the *Letter C* document in civil court proceedings, as reflected in the Bandung District Court Decision No. 281/Pdt.G/2022/PN.Bdg dated April 4, 2023, demonstrates that the panel of judges, through their legal considerations, established that the plaintiffs were bona fide landowners whose inherited land was later registered under another party's ownership certificate. The judges were convinced that the disputed inherited land indeed corresponds to the location of the case's object. The panel held that although the defendants possessed a land ownership certificate (*sertifikat hak milik*), it did not cover the area where the plaintiffs' inherited land was situated. The judges adhered to the

principle of evidentiary strength regarding documentary evidence in civil procedure law, which centers on the *counter-evidentiary power* the ability of a piece of evidence to refute or invalidate the opposing party's evidence. Consequently, the evidentiary value of documentary proof presented in court is governed by the principle of *material evidentiary strength*, which ensures the authenticity of the content or substance of the document and confirms that the statements and actions of officials or parties align with what is recorded therein. Therefore, the *Letter C* document holds legal evidentiary value in court, as long as its authenticity and truth can be substantiated by other supporting evidence, such as additional documents, witness testimonies, party admissions, and on-site inspections (*descente*).

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