

# **SHOULD *JUAL JANJI* TRANSACTION BE RECOGNISED BY THE COURTS?**

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## ABSTRACT

The quandary that encircles the practice of *jual janji* in Peninsular Malaysia is no alien to the legal scholars, judges, lawyers and students. The utmost dilemma that surrounds *jual janji* is on its undetermined status as a security transaction. Thus, this paper will attempt to convert the assorted problems encountered by *jual janji* transaction into a vibrant future by proposing certain viable and realistic strides in effort of revitalizing the subsistence of *jual janji* transaction and deciphering the difficulty concerning its legitimacy. In doing so, the historical outlines of *jual janji* transaction prior and after the passing of the National Land Code 1965 (NLC) will be scrutinized, the reasons for inferiority of *jual janji* will be examined and the conflicting court's interpretation in responding to the issue of recognition of *jual janji* will be appraised and compared. Finally, this paper will also enclose the conclusions and the promising recommendations in response to the research questions.

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