5.最高法院民事上訴事件終結情形－按訴訟種類分

5. State of Civil Appeals Cases Terminated by Supreme Court － by Type

中華民國 108年(2019)

單位：件

訴訟種類 Litigation type	合計 Total	撤回上訴 Appeal withdrawn	撤回第一審之訴 Withdrawal of lawsuits in first instance	駁回上訴 Repealed appeals					廢棄原判 Reason of recindment					和解 Conciliation	其他 Other	訴訟種類 Litigation type
				計 Subtotal	不合法 Improform		無理由 groundless		計 Subtotal	發回更審 Referred back to previous court for new trial		自為判決 The Supreme Court itself renders a judgment				
					全部 All	部分 Part	全部 All	部分 Part		全部 All	部分 Part	全部 All	部分 Part			
合計 Total	**2 673**	**66**	**19**	**1 856.0**	**1 425**	**3.5**	**342**	**85.5**	**696.0**	**605**	**80.0**	**4**	**7.0**	**1**	**35**	**合計 Total**
民法 Subtotal of civil law	2 106	54	8	1 464.0	1 142	2.5	252	67.5	553.0	481	63.0	3	6.0	1	26	民法 Subtotal of civil law
財產 Monetary assets	1 867	48	8	1 275.0	973	2.5	235	64.5	512.0	445	60.0	1	6.0	1	23	財產 Monetary assets
不當得利 Unjust enrichment	126	1	-	99.5	82	-	15	2.5	24.5	22	2.5	-	-	-	1	不當得利 Unjust enrichment
損害賠償 Damage compensation	391	5	1	270.5	204	1.5	50	15.0	108.5	93	15.0	-	0.5	-	6	損害賠償 Damage compensation
侵權行為 Tort	321	4	1	229.5	172	1.5	44	12.0	80.5	68	12.0	-	0.5	-	6	侵權行為 Tort
債務不履行 Nonperformance of obligation	70	1	-	41.0	32	-	6	3.0	28.0	25	3.0	-	-	-	-	債務不履行 Nonperformance of obligation
買賣 Sale	178	7	-	110.5	93	-	9	8.5	59.5	51	8.0	-	0.5	-	1	買賣 Sale
贈與 Gift	20	-	-	14.5	8	-	6	0.5	5.5	5	0.5	-	-	-	-	贈與 Gift
租賃 Lease	46	1	-	31.0	25	-	5	1.0	13.0	12	0.5	-	0.5	-	1	租賃 Lease
土地 Land property	15	-	-	9.0	9	-	-	-	5.0	5	-	-	-	-	1	土地 Land property
房屋 Building property	23	1	-	14.0	11	-	2	1.0	8.0	7	0.5	-	0.5	-	-	房屋 Building property
其他 Other	8	-	-	8.0	5	-	3	-	-	-	-	-	-	-	-	其他 Other
借貸 Load	149	5	1	107.5	84	-	21	2.5	34.5	32	2.0	-	0.5	-	1	借貸 Load
消費 Consumption	148	5	1	106.5	84	-	20	2.5	34.5	32	2.0	-	0.5	-	1	消費 Consumption
使用 Utilization	1	-	-	1.0	-	-	1	-	-	-	-	-	-	-	-	使用 Utilization
僱傭 Hire of services	4	-	-	1.0	1	-	-	-	2.0	2	-	-	-	1	-	僱傭 Hire of services
承攬 Hire of work	209	3	1	128.0	81	-	32	15.0	76.0	61	14.0	-	1.0	-	1	承攬 Hire of work
旅遊 Travel	2	-	-	2.0	2	-	-	-	-	-	-	-	-	-	-	旅遊 Travel
出版 Publication	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	出版 Publication
委任 Mandate	76	-	-	45.0	31	-	11	3.0	31.0	27	3.0	1	-	-	-	委任 Mandate
寄託 Deposit	8	-	-	8.0	7	-	1	-	-	-	-	-	-	-	-	寄託 Deposit
倉庫 Warehousing	2	-	-	1.0	1	-	-	-	1.0	1	-	-	-	-	-	倉庫 Warehousing
運送營業 Carriage	3	-	-	2.0	1	-	1	-	1.0	1	-	-	-	-	-	運送營業 Carriage
合夥 Partnership	22	-	-	16.5	15	-	1	0.5	5.5	5	-	-	0.5	-	-	合夥 Partnership
和解 Compromise	4	-	-	4.0	4	-	-	-	-	-	-	-	-	-	-	和解 Compromise

5.最高法院民事上訴事件終結情形－按訴訟種類分(續一)

5. State of Civil Appeals Cases Terminated by Supreme Court － by Type (Cont. 1)

中華民國 108年(2019)

單位：件

訴訟種類 Litigation type	合計 Total	撤回上訴 Appeal withdrawn	撤回第一審之訴 Withdrawal of lawsuits in first instance	駁回上訴 Repealed appeals					廢棄原判 Reason of recindment					和解 Conciliation	其他 Other	訴訟種類 Litigation type
				計 Subtotal	不合法 Improform		無理由 groundless		計 Subtotal	發回更審 Referred back to previous court for new trial		自為判決 The Supreme Court itself renders a judgment				
					全部 All	部分 Part	全部 All	部分 Part		全部 All	部分 Part	全部 All	部分 Part			
合會 Pooled loan	1	-	-	1.0	1	-	-	-	-	-	-	-	-	-	-	合會 Pooled loan
人事保證 Employment guaranty	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	人事保證 Employment guaranty
利息等定期給付 Periodical payment of interest and the like	1	-	-	-	-	-	-	-	1.0	1	-	-	-	-	-	利息等定期給付 Periodical payment of interest and the like
所有權 Ownership	499	25	5	342.5	261	1.0	68	12.5	115.5	102	11.0	-	2.5	-	11	所有權 Ownership
土地 Land property	346	23	2	229.5	168	0.5	53	8.0	83.5	75	7.5	-	1.0	-	8	土地 Land property
房屋 Building property	84	1	2	65.0	52	-	9	4.0	15.0	11	2.5	-	1.5	-	1	房屋 Building property
分割共有物 Division of joint property	39	1	-	25.5	21	-	4	0.5	10.5	10	0.5	-	-	-	2	分割共有物 Division of joint property
不動產鑑界 Boundaries of immovables	12	-	-	10.0	9	-	1	-	2.0	2	-	-	-	-	-	不動產鑑界 Boundaries of immovables
其他 Other	18	-	1	12.5	11	0.5	1	-	4.5	4	0.5	-	-	-	-	其他 Other
地上權 Superficies	12	-	-	8.5	5	-	2	1.5	3.5	2	1.5	-	-	-	-	地上權 Superficies
地役權 Predialservitude	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	地役權 Predialservitude
抵押權 Mortgage	53	-	-	40.0	33	-	6	1.0	12.0	11	1.0	-	-	-	1	抵押權 Mortgage
土地 Land	35	-	-	26.5	22	-	4	0.5	7.5	7	0.5	-	-	-	1	土地 Land
房屋 Building	18	-	-	13.5	11	-	2	0.5	4.5	4	0.5	-	-	-	-	房屋 Building
其他 Other	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	其他 Other
質權 Pledge	2	-	-	2.0	2	-	-	-	-	-	-	-	-	-	-	質權 Pledge
占有 Possession	1	-	-	-	-	-	-	-	1.0	1	-	-	-	-	-	占有 Possession
其他 Other	58	1	-	40.0	32	-	7	1.0	17.0	16	1.0	-	-	-	-	其他 Other
親屬 Family	148	5	-	129.5	123	-	6	0.5	12.5	12	0.5	-	-	-	1	親屬 Family
監護 Guardianship	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	監護 Guardianship
婚姻 Marriage	128	5	-	111.5	108	-	3	0.5	10.5	10	0.5	-	-	-	1	婚姻 Marriage
離婚 Divorce	91	4	-	83.0	82	-	1	-	3.0	3	-	-	-	-	1	離婚 Divorce
離婚－其他 Divorce Other	3	-	-	3.0	2	-	1	-	-	-	-	-	-	-	-	離婚－其他 Divorce Other
婚約 Betrothal	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	婚約 Betrothal
履行同居 Fulfillment of cohabitation	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	履行同居 Fulfillment of cohabitation
其他 Other	34	1	-	25.5	24	-	1	0.5	7.5	7	0.5	-	-	-	-	其他 Other

5.最高法院民事上訴事件終結情形－按訴訟種類分(續二)

5. State of Civil Appeals Cases Terminated by Supreme Court － by Type (Cont. 2)

中華民國 108年(2019)

單位：件

訴訟種類 Litigation type	合計 Total	撤回上訴 Appeal withdrawn	撤回第一審之訴 Withdrawal of lawsuits in first instance	駁回上訴 Repealed appeals					廢棄原判 Reason of recindment					和解 Conciliation	其他 Other	訴訟種類 Litigation type
				計 Subtotal	不合法 Improform		無理由 groundless		計 Subtotal	發回更審 Referred back to previous court for new trial		自為判決 The Supreme Court itself renders a judgment				
					全部 All	部分 Part	全部 All	部分 Part		全部 All	部分 Part	全部 All	部分 Part			
認領 Acknowledgment	3	-	-	2.0	1	-	1	-	1.0	1	-	-	-	-	-	認領 Acknowledgment
收養 Adoption	9	-	-	9.0	7	-	2	-	-	-	-	-	-	-	-	收養 Adoption
扶養 Maintenance	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	扶養 Maintenance
贍養費 Alimonies	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	贍養費 Alimonies
其他 Other	8	-	-	7.0	7	-	-	-	1.0	1	-	-	-	-	-	其他 Other
繼承 Succession	69	-	-	43.5	34	-	7	2.5	23.5	20	2.5	1	-	-	2	繼承 Succession
遺產 Estate	55	-	-	33.0	25	-	6	2.0	20.0	18	2.0	-	-	-	2	遺產 Estate
遺囑 Wills	10	-	-	8.0	8	-	-	-	2.0	1	-	1	-	-	-	遺囑 Wills
其他 Other	4	-	-	2.5	1	-	1	0.5	1.5	1	0.5	-	-	-	-	其他 Other
其他 Other	22	1	-	16.0	12	-	4	-	5.0	4	-	1	-	-	-	其他 Other
民事特別法計 Subtotal of Special Law	567	12	11	392.0	283	1.0	90	18.0	143.0	124	17.0	1	1.0	-	9	民事特別法計 Subtotal of Special Law
公司法 Company law	62	-	3	40.0	29	1.0	7	3.0	19.0	17	2.0	-	-	-	-	公司法 Company law
撤銷股東會決議 Withdrawal of shareholders meeting resolutions	10	-	-	6.5	5	-	-	1.5	3.5	2	1.5	-	-	-	-	撤銷股東會決議 Withdrawal of shareholders meeting resolutions
確認股東會決議無效 Invalidation of shareholders meeting resolutions	10	-	1	6.0	2	0.5	3	0.5	3.0	3	-	-	-	-	-	確認股東會決議無效 Invalidation of shareholders meeting resolutions
公司對董事或監察人訴訟 Company suing director or auditor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	公司對董事或監察人訴訟 Company suing director or auditor
其他 Other	42	-	2	27.5	22	0.5	4	1.0	12.5	12	0.5	-	-	-	-	其他 Other
票據法 Law of negotiable instruments	57	3	3	33.5	23	-	10	0.5	15.5	15	0.5	-	-	-	2	票據法 Law of negotiable instruments
給付票款 Payment of negotiable instruments	28	2	-	17.0	11	-	6	-	8.0	8	-	-	-	-	1	給付票款 Payment of negotiable instruments
償還票據所受利益 Repayment of interest accrued on negotiable instruments	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	償還票據所受利益 Repayment of interest accrued on negotiable instruments
其他 Other	29	1	3	16.5	12	-	4	0.5	7.5	7	0.5	-	-	-	1	其他 Other
海商事件 Maritime matters	4	-	-	2.0	1	-	1	-	2.0	2	-	-	-	-	-	海商事件 Maritime matters
保險事件 Insurance matters	24	-	-	21.5	18	-	2	1.5	2.5	1	1.5	-	-	-	-	保險事件 Insurance matters
動產擔保交易 Personal property secured transactions	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	動產擔保交易 Personal property secured transactions

5.最高法院民事上訴事件終結情形－按訴訟種類分(續三完)

5. State of Civil Appeals Cases Terminated by Supreme Court － by Type (Cont. End)

中華民國 108年(2019)

單位：件

訴訟種類 Litigation type	合計 Total	撤回上訴 Appeal withdrawn	撤回第一審之訴 Withdrawal of lawsuits in first instance	駁回上訴 Repealed appeals					廢棄原判 Reason of recindment						和解 Conciliation	其他 Other	訴訟種類 Litigation type
				計 Subtotal	不合法 Improform		無理由 groundless		計 Subtotal	發回更審 Referred back to previous court for new trial		自為判決 The Supreme Court itself renders a judgment					
					全部 All	部分 Part	全部 All	部分 Part		全部 All	部分 Part	全部 All	部分 Part				
土地法 Land law	14	-	-	10.5	6	-	4	0.5	3.5	3	0.5	-	-	-	-	土地法 Land law
土地或房屋優先承買權 Priority to buy land or building properties	11	-	-	8.5	5	-	3	0.5	2.5	2	0.5	-	-	-	-	土地或房屋優先承買權 Priority to buy land or building properties
土地或房屋租用 Land or building leases	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	土地或房屋租用 Land or building leases
耕地租用 Farmland lease	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	耕地租用 Farmland lease
其他 Other	3	-	-	2.0	1	-	1	-	1.0	1	-	-	-	-	-	其他 Other
三七五租約 The 3/8th tenants lease act	25	-	-	14.0	10	-	4	-	9.0	9	-	-	-	-	2	三七五租約 The 3/8th tenants lease act
證券交易 Securities trading	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	證券交易 Securities trading
國際貿易 International trade	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	國際貿易 International trade
國家賠償 State compensation	43	-	-	33.0	20	-	12	1.0	9.0	8	1.0	-	-	-	1	國家賠償 State compensation
執行事件訴訟 Execution litigation	97	2	2	70.5	57	-	11	2.5	20.5	18	2.5	-	-	-	2	執行事件訴訟 Execution litigation
撤銷仲裁判斷事件 Arbitral award annulment matters	3	1	-	2.0	1	-	1	-	-	-	-	-	-	-	-	撤銷仲裁判斷事件 Arbitral award annulment matters
選舉罷免訴訟 Election and recall litigation	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	選舉罷免訴訟 Election and recall litigation
勞資爭議處理法 Management-labor dispute settlement law	131	-	-	92.5	72	-	15	5.5	37.5	31	5.0	1	0.5	-	1	勞資爭議處理法 Management-labor dispute settlement law
請求給付工資 Wage payment claim	17	-	-	8.5	6	-	1	1.5	7.5	5	1.5	1	-	-	1	請求給付工資 Wage payment claim
終止勞動契約 Employment contract termination	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	終止勞動契約 Employment contract termination
請求給付退休金或資遣費 Retirement or severance payment claim	33	-	-	24.5	16	-	7	1.5	8.5	7	1.5	-	-	-	-	請求給付退休金或資遣費 Retirement or severance payment claim
請求給予獎金或分配紅利 Incentive or bonus payment claim	2	-	-	2.0	2	-	-	-	-	-	-	-	-	-	-	請求給予獎金或分配紅利 Incentive or bonus payment claim
請求給予損害賠償或職業災害補償 Claim of damages or compensation for occupational accidents	3	-	-	1.5	1	-	-	0.5	1.5	1	0.5	-	-	-	-	請求給予損害賠償或職業災害補償 Claim of damages or compensation for occupational accidents
其他 Other	76	-	-	56.0	47	-	7	2.0	20.0	18	1.5	-	0.5	-	-	其他 Other
著作權 Copyright	13	1	-	8.0	6	-	2	-	4.0	4	-	-	-	-	-	著作權 Copyright
專利權 Patent-right	21	1	-	12.5	9	-	2	1.5	6.5	5	1.5	-	-	-	1	專利權 Patent-right
商標專用權 Right of exclusive use of a trademark	15	2	1	10.0	6	-	3	1.0	2.0	1	1.0	-	-	-	-	商標專用權 Right of exclusive use of a trademark
其他 Other	58	2	2	42.0	25	-	16	1.0	12.0	10	1.5	-	0.5	-	-	其他 Other