

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 Litigation Type
中華民國 110年(2021)

單位：件(Unit: case)

| 訴訟種類 Litigation type | 合計 Total | 撤回上訴 Appeals withdrawn | 撤回第一 審之訴 Withdrawal of lawsuits in first instance | 駁回上訴 Repealed appeals | | | | | 廢棄原判 Reason of recindment | | | | | 和解 Conciliation | 調解成立 Mediation Sustained | 其他 Other | 訴訟種類 Litigation type |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 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 | 3 337 | 37 | 17 | 2 236.0 | 1 778 | 10.0 | 341 | 107.0 | 955.0 | 841 | 106.5 | 1 | 6.5 | 1 | 22 | 69 | 合計 Total |
| 民法 Subtotal of civil law | 2 575 | 26 | 10 | 1 706.5 | 1 361 | 8.0 | 254 | 83.5 | 758.5 | 669 | 83.5 | 1 | 5.0 | 1 | 20 | 53 | 民法 Subtotal of civil law |
| 財產 Monetary assets | 2 279 | 25 | 10 | 1 481.5 | 1 169 | 7.5 | 227 | 78.0 | 700.5 | 616 | 79.0 | 1 | 4.5 | 1 | 18 | 43 | 財產 Monetary assets |
| 不當得利 Unjust enrichment | 184 | - | - | 126.5 | 103 | 1.5 | 17 | 5.0 | 52.5 | 47 | 5.5 | - | - | 1 | - | 4 | 不當得利 Unjust enrichment |
| 損害賠償 Damage compensation | 465 | 3 | 3 | 318.0 | 249 | 1.5 | 50 | 17.5 | 130.0 | 112 | 17.5 | - | 0.5 | - | 3 | 8 | 損害賠償 Damage compensation |
| 侵權行為 Tort | 378 | 3 | 3 | 260.0 | 206 | 1.0 | 39 | 14.0 | 101.0 | 86 | 14.5 | - | 0.5 | - | 3 | 8 | 侵權行為 Tort |
| 債務不履行 Nonperformance of obligation | 87 | - | - | 58.0 | 43 | 0.5 | 11 | 3.5 | 29.0 | 26 | 3.0 | - | - | - | - | - | 債務不履行 Nonperformance of obligation |
| 買賣 Sale | 225 | 5 | 1 | 122.5 | 99 | - | 15 | 8.5 | 89.5 | 81 | 7.5 | - | 1.0 | - | 7 | - | 買賣 Sale |
| 贈與 Gift | 6 | - | - | 5.0 | 5 | - | - | - | 1.0 | 1 | - | - | - | - | - | - | 贈與 Gift |
| 租賃 Lease | 61 | - | - | 39.5 | 30 | 0.5 | 7 | 2.0 | 19.5 | 17 | 2.5 | - | - | - | - | 2 | 租賃 Lease |
| 土地 Land property | 21 | - | - | 14.0 | 11 | - | 2 | 1.0 | 6.0 | 5 | 1.0 | - | - | - | - | 1 | 土地 Land property |
| 房屋 Building property | 34 | - | - | 21.5 | 17 | 0.5 | 3 | 1.0 | 11.5 | 10 | 1.5 | - | - | - | - | 1 | 房屋 Building property |
| 其他 Other | 6 | - | - | 4.0 | 2 | - | 2 | - | 2.0 | 2 | - | - | - | - | - | - | 其他 Other |
| 借貸 Loan | 160 | 3 | - | 108.5 | 95 | - | 9 | 4.5 | 46.5 | 42 | 4.5 | - | - | - | - | 2 | 借貸 Loan |
| 消費 Consumption | 157 | 3 | - | 106.5 | 93 | - | 9 | 4.5 | 45.5 | 41 | 4.5 | - | - | - | - | 2 | 消費 Consumption |
| 使用 Utilization | 3 | - | - | 2.0 | 2 | - | - | - | 1.0 | 1 | - | - | - | - | - | - | 使用 Utilization |
| 僱傭 Hire of services | 3 | - | - | 0.5 | - | - | - | 0.5 | 2.5 | 2 | 0.5 | - | - | - | - | - | 僱傭 Hire of services |
| 承攬 Hire of work | 225 | 2 | - | 127.0 | 89 | - | 24 | 14.0 | 91.0 | 77 | 13.5 | - | 0.5 | - | 4 | 1 | 承攬 Hire of work |
| 旅遊 Travel | 1 | - | - | - | - | - | - | - | 1.0 | 1 | - | - | - | - | - | - | 旅遊 Travel |
| 出版 Publication | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 出版 Publication |
| 委任 Mandate | 80 | 2 | 1 | 43.5 | 34 | - | 6 | 3.5 | 31.5 | 28 | 3.5 | - | - | - | 2 | - | 委任 Mandate |
| 寄託 Deposit | 7 | - | - | 3.5 | 3 | - | - | 0.5 | 3.5 | 3 | 0.5 | - | - | - | - | - | 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 | 29 | - | 1 | 19.5 | 17 | - | 2 | 0.5 | 8.5 | 8 | 0.5 | - | - | - | - | - | 合夥 Partnership |
| 和解 Compromise | 2 | - | - | 2.0 | 2 | - | - | - | - | - | - | - | - | - | - | - | 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 Litigation Type (Cont. 1)
中華民國 110年(2021)

單位：件(Unit: case)

| 訴訟種類 Litigation type | 合計 Total | 撤回上訴 Appeals 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 | 調解成立 Mediation Sustained | 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 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 |
| 會 Pooled loan | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 會 Pooled loan | |
| 人 事 保 證 Employment guaranty | 1 | - | - | 0.5 | - | - | - | 0.5 | 0.5 | - | 0.5 | - | - | - | - | 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 | 696 | 8 | 4 | 472.5 | 374 | 3.0 | 78 | 17.5 | 185.5 | 165 | 17.5 | 1 | 2.0 | - | 2 | 24 | 所 有 權 Ownership |
| 土 Land property | 480 | 7 | 3 | 327.5 | 253 | 1.0 | 62 | 11.5 | 122.5 | 109 | 11.0 | 1 | 1.5 | - | 1 | 19 | 土 Land property |
| 房 Building property | 116 | 1 | - | 83.5 | 69 | 0.5 | 9 | 5.0 | 28.5 | 24 | 4.0 | - | 0.5 | - | 1 | 2 | 房 Building property |
| 分 割 共 有 物 Division of joint property | 63 | - | - | 38.5 | 35 | 1.5 | 2 | - | 22.5 | 21 | 1.5 | - | - | - | - | 2 | 分 割 共 有 物 Division of joint property |
| 不 動 產 鑑 界 Boundaries of immovables | 6 | - | - | 3.5 | 2 | - | 1 | 0.5 | 2.5 | 2 | 0.5 | - | - | - | - | - | 不 動 產 鑑 界 Boundaries of immovables |
| 其 Other | 31 | - | 1 | 19.5 | 15 | - | 4 | 0.5 | 9.5 | 9 | 0.5 | - | - | - | - | 1 | 其 Other |
| 地 上 權 Superficies | 8 | - | - | 5.0 | 3 | - | 1 | 1.0 | 2.0 | 1 | 1.0 | - | - | - | - | 1 | 地 上 權 Superficies |
| 地 役 權 Predialservitude | 2 | - | - | 1.0 | 1 | - | - | - | 1.0 | 1 | - | - | - | - | - | - | 地 役 權 Predialservitude |
| 抵 押 Mortgage | 54 | - | - | 38.0 | 32 | - | 5 | 1.0 | 16.0 | 15 | 1.0 | - | - | - | - | - | 抵 押 Mortgage |
| 土 Land | 42 | - | - | 30.0 | 25 | - | 4 | 1.0 | 12.0 | 11 | 1.0 | - | - | - | - | - | 土 Land |
| 房 Building | 12 | - | - | 8.0 | 7 | - | 1 | - | 4.0 | 4 | - | - | - | - | - | - | 房 Building |
| 其 Other | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 其 Other |
| 質 Pledge | 2 | - | - | 2.0 | 1 | - | 1 | - | - | - | - | - | - | - | - | - | 質 Pledge |
| 占 Possession | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 占 Possession |
| 其 Other | 62 | 2 | - | 43.5 | 31 | 1.0 | 10 | 1.5 | 15.5 | 12 | 3.0 | - | 0.5 | - | - | 1 | 其 Other |
| 親 Family | 150 | - | - | 127.0 | 118 | 0.5 | 5 | 3.5 | 19.0 | 16 | 3.0 | - | - | - | 2 | 2 | 親 Family |
| 監 Guardianship | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 監 Guardianship |
| 婚 Marriage | 133 | - | - | 114.5 | 107 | 0.5 | 4 | 3.0 | 14.5 | 12 | 2.5 | - | - | - | 2 | 2 | 婚 Marriage |
| 離 婚 Divorce | 89 | - | - | 82.0 | 78 | 0.5 | 2 | 1.5 | 3.0 | 2 | 1.0 | - | - | - | 2 | 2 | 離 婚 Divorce |
| 離 婚 一 其 他 Divorce Other | 2 | - | - | 2.0 | 2 | - | - | - | - | - | - | - | - | - | - | - | 離 婚 一 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 Other | 42 | - | - | 30.5 | 27 | - | 2 | 1.5 | 11.5 | 10 | 1.5 | - | - | - | - | - | 其 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 Litigation Type (Cont. 2)

中華民國 110年(2021)

單位：件(Unit: case)

| 訴訟種類 Litigation type | 合計 Total | 撤回上訴 Appeals 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 | 調解成立 Mediation Sustained | 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 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 Acknowledgment | 領 | - | - | - | - | - | - | - | - | - | - | - | - | - | 認 Acknowledgment | 領 | |
| 收 Adoption | 養 | 7 | - | - | 5.0 | 5 | - | - | 2.0 | 2 | - | - | - | - | 收 Adoption | 養 | |
| 扶 Maintenance | 養 | 2 | - | - | 1.5 | 1 | - | - | 0.5 | 0.5 | - | 0.5 | - | - | 扶 Maintenance | 養 | |
| 瞻 Alimonies | 費 | - | - | - | - | - | - | - | - | - | - | - | - | - | 瞻 Alimonies | 費 | |
| 其 Other | 他 | 8 | - | - | 6.0 | 5 | - | 1 | 2.0 | 2 | - | - | - | - | 其 Other | 他 | |
| 繼 Succession | 承 | 107 | 1 | - | 68.0 | 56 | - | 11 | 1.0 | 30.0 | 29 | 0.5 | - | 0.5 | 繼 Succession | 承 | |
| 遺 Estate | 產 | 91 | 1 | - | 59.5 | 49 | - | 10 | 0.5 | 23.5 | 23 | 0.5 | - | - | 遺 Estate | 產 | |
| 遺 Wills | 囑 | 12 | - | - | 7.0 | 6 | - | 1 | - | 4.0 | 4 | - | - | - | 遺 Wills | 囑 | |
| 其 Other | 他 | 4 | - | - | 1.5 | 1 | - | - | 0.5 | 2.5 | 2 | - | - | 0.5 | 其 Other | 他 | |
| 其 Other | 他 | 39 | - | - | 30.0 | 18 | - | 11 | 1.0 | 9.0 | 8 | 1.0 | - | - | 其 Other | 他 | |
| 民 事 特 別 法 Subtotal of Special Law | 計 | 762 | 11 | 7 | 529.5 | 417 | 2.0 | 87 | 23.5 | 196.5 | 172 | 23.0 | - | 1.5 | 16 | 民 事 特 別 法 Subtotal of Special Law | 計 |
| 公 司 Company law | 法 | 61 | 3 | - | 37.5 | 24 | - | 11 | 2.5 | 18.5 | 16 | 2.5 | - | - | 2 | 公 司 Company law | 法 |
| 撤 銷 股 東 會 決 議 Withdrawal of shareholders meeting resolutions | | 8 | 1 | - | 3.0 | 3 | - | - | - | 3.0 | 3 | - | - | - | 1 | 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 | | 19 | - | - | 12.0 | 5 | - | 6 | 1.0 | 7.0 | 6 | 1.0 | - | - | - | 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 Other | 他 | 34 | 2 | - | 22.5 | 16 | - | 5 | 1.5 | 8.5 | 7 | 1.5 | - | - | 1 | 其 Other | 他 |
| 票 據 Law of negotiable instruments | 法 | 85 | 1 | - | 57.0 | 47 | 0.5 | 8 | 1.5 | 22.0 | 20 | 1.0 | - | 1.0 | 4 | 票 據 Law of negotiable instruments | 法 |
| 給 付 票 款 Payment of negotiable instruments | | 29 | - | - | 18.5 | 15 | - | 2 | 1.5 | 8.5 | 7 | 0.5 | - | 1.0 | 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 Other | 他 | 56 | 1 | - | 38.5 | 32 | 0.5 | 6 | - | 13.5 | 13 | 0.5 | - | - | 3 | 其 Other | 他 |
| 海 商 事 件 Maritime matters | | 9 | - | - | 5.0 | 5 | - | - | - | 3.0 | 3 | - | - | - | 1 | 海 商 事 件 Maritime matters | |
| 保 險 事 件 Insurance matters | | 23 | - | - | 16.0 | 13 | - | 2 | 1.0 | 7.0 | 6 | 1.0 | - | - | - | 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 Litigation Type (Cont. End)
中華民國 110年(2021)

單位：件(Unit: case)

| 訴訟種類 Litigation type | 合計 Total | 撤回上訴 Appeals 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 | 調解成立 Mediation Sustained | 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 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 | 25 | 1 | - | 16.0 | 11 | - | 4 | 1.0 | 7.0 | 6 | 1.0 | - | - | - | 1 | 土地法 Land law | |
| 土地或房屋優先承買權 Priority to buy land or building properties | 14 | 1 | - | 10.0 | 8 | - | 2 | - | 3.0 | 3 | - | - | - | - | - | 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 | 1 | - | - | 1.0 | - | - | 1 | - | - | - | - | - | - | - | - | 耕地租用 Farmland lease | |
| 其他 Other | 10 | - | - | 5.0 | 3 | - | 1 | 1.0 | 4.0 | 3 | 1.0 | - | - | - | 1 | 其他 Other | |
| 三七五租約 The 3/8th tenants lease act | 24 | - | - | 18.0 | 17 | - | 1 | - | 6.0 | 6 | - | - | - | - | - | 三七五租約 The 3/8th tenants lease act | |
| 證券交易 Securities trading | 1 | - | - | 1.0 | 1 | - | - | - | - | - | - | - | - | - | - | 證券交易 Securities trading | |
| 國際貿易 International trade | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | 國際貿易 International trade | |
| 國家賠償 State compensation | 52 | - | - | 35.5 | 25 | - | 9 | 1.5 | 15.5 | 14 | 1.5 | - | - | - | 1 | 國家賠償 State compensation | |
| 執行事件訴訟 Execution litigation | 137 | - | 2 | 101.5 | 75 | 0.5 | 22 | 4.0 | 32.5 | 28 | 4.0 | - | 0.5 | - | 1 | 執行事件訴訟 Execution litigation | |
| 撤銷仲裁判斷事件 Arbitral award annulment matters | 6 | 1 | - | 5.0 | 3 | - | 2 | - | - | - | - | - | - | - | - | 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 | |
| 勞動事件法 Labor Incident Act | 231 | 2 | 2 | 164.5 | 143 | 0.5 | 12 | 9.0 | 57.5 | 48 | 9.5 | - | - | - | 5 | 勞動事件法 Labor Incident Act | |
| 確認僱傭關係(含併請求給付工資) Confirmation of the existence of employment relationship(along with wage payment claim) | 97 | 2 | - | 73.5 | 66 | - | 6 | 1.5 | 17.5 | 16 | 1.5 | - | - | - | 4 | 確認僱傭關係(含併請求給付工資) Confirmation of the existence of employment relationship(along with wage payment claim) | |
| 請求給付工資 Wage payment claim | 34 | - | - | 26.0 | 22 | - | 3 | 1.0 | 7.0 | 6 | 1.0 | - | - | - | 1 | 請求給付工資 Wage payment claim | |
| 請求給付退休金或資遣費 Retirement or severance payment claim | 50 | - | - | 36.5 | 30 | - | 2 | 4.5 | 13.5 | 9 | 4.5 | - | - | - | - | 請求給付退休金或資遣費 Retirement or severance payment claim | |
| 請求給付獎金或分配紅利 Incentive or bonus payment claim | 3 | - | - | 2.5 | 2 | - | - | 0.5 | 0.5 | - | 0.5 | - | - | - | - | 請求給付獎金或分配紅利 Incentive or bonus payment claim | |
| 請求給付職業災害補償或賠償 Compensation for occupational accidents claim | 10 | - | - | 7.5 | 7 | - | - | 0.5 | 2.5 | 2 | 0.5 | - | - | - | - | 請求給付職業災害補償或賠償 Compensation for occupational accidents claim | |
| 請求給付其他損害賠償 Other damages claim | 23 | - | 1 | 10.5 | 10 | 0.5 | - | - | 11.5 | 11 | 0.5 | - | - | - | - | 請求給付其他損害賠償 Other damages claim | |
| 其他 Other | 14 | - | 1 | 8.0 | 6 | - | 1 | 1.0 | 5.0 | 4 | 1.0 | - | - | - | - | 其他 Other | |
| 著作權 Copyright | 14 | 1 | - | 9.0 | 6 | - | 2 | 1.0 | 4.0 | 3 | 1.0 | - | - | - | - | 著作權 Copyright | |
| 專利權 Patent-right | 27 | 1 | 3 | 19.5 | 16 | - | 3 | 0.5 | 3.5 | 3 | 0.5 | - | - | - | - | 專利權 Patent-right | |
| 商標專用權 Right of exclusive use of a trademark | 13 | 1 | - | 7.5 | 5 | - | 2 | 0.5 | 4.5 | 4 | 0.5 | - | - | - | - | 商標專用權 Right of exclusive use of a trademark | |
| 其他 Other | 54 | - | - | 36.5 | 26 | 0.5 | 9 | 1.0 | 15.5 | 15 | 0.5 | - | - | - | 2 | 其他 Other | |