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

單位：件(Unit: case)

訴訟種類	合計 Total	撤回上訴 Appeals withdrawn	撤回第一審之訴 Withdrawal of lawsuits in first instance	駁回上訴 Repealed appeals					廢棄原判 Reason of recindment					和解 Conciliation	調解成立 Mediation Sustained	其他 Other	Litigation type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	**3 188**	**24**	**5**	**2 416.5**	**2 187**	**2.5**	**144**	**83.0**	**635.5**	**546**	**76.5**	**3**	**10.0**	**-**	**37**	**70**	**Total**
民法計	2 501	22	2	1 889.5	1 727	2.0	91	69.5	500.5	426	64.0	2	8.5	-	28	59	Subtotal of civil law
財產	2 182	21	2	1 647.5	1 507	1.5	77	62.0	440.5	373	58.0	2	7.5	-	24	47	Monetary assets
不當得利	200	2	-	158.0	143	-	10	5.0	31.0	26	4.0	-	1.0	-	2	7	Unjust enrichment
損害賠償	489	6	1	354.0	316	0.5	19	18.5	109.0	88	19.5	-	1.5	-	3	16	Damage compensation
侵權行為	397	6	-	281.0	250	0.5	14	16.5	93.0	74	17.5	-	1.5	-	1	16	Tort
債務不履行	92	-	1	73.0	66	-	5	2.0	16.0	14	2.0	-	-	-	2	-	Nonperformance of obligation
買賣	179	2	-	135.5	124	-	6	5.5	37.5	32	4.5	-	1.0	-	4	-	Sale
贈與	21	-	-	16.0	16	-	-	-	3.0	3	-	-	-	-	1	1	Gift
租賃	49	1	-	36.0	33	-	1	2.0	12.0	10	1.5	-	0.5	-	-	-	Lease
土地	22	-	-	16.0	15	-	-	1.0	6.0	5	0.5	-	0.5	-	-	-	Land property
房屋	24	-	-	19.0	17	-	1	1.0	5.0	4	1.0	-	-	-	-	-	Building property
其他	3	1	-	1.0	1	-	-	-	1.0	1	-	-	-	-	-	-	Other
借貸	116	1	-	88.5	83	-	2	3.5	26.5	23	3.5	-	-	-	-	-	Load
消費	115	1	-	88.5	83	-	2	3.5	25.5	22	3.5	-	-	-	-	-	Consumption
使用	1	-	-	-	-	-	-	-	1.0	1	-	-	-	-	-	-	Utilization
僱傭	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Hire of services
承攬	212	1	-	140.5	122	-	8	10.5	60.5	50	9.0	-	1.5	-	8	2	Hire of work
旅遊	1	-	-	-	-	-	-	-	1.0	1	-	-	-	-	-	-	Travel
出版	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Publication
委任	133	1	-	109.0	103	-	3	3.0	21.0	18	3.0	-	-	-	1	1	Mandate
寄託	9	-	-	8.0	8	-	-	-	1.0	1	-	-	-	-	-	-	Deposit
倉庫	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Warehousing
運送營業	1	-	-	1.0	1	-	-	-	-	-	-	-	-	-	-	-	Carriage
合夥	34	-	-	26.5	25	0.5	-	1.0	7.5	6	1.5	-	-	-	-	-	Partnership
和解	8	-	-	6.0	5	-	1	-	2.0	2	-	-	-	-	-	-	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)

單位：件(Unit: case)

訴訟種類	合計 Total	撤回上訴 Appeals withdrawn	撤回第一審之訴 Withdrawal of lawsuits in first instance	駁回上訴 Repealed appeals					廢棄原判 Reason of recindment					和解 Conciliation	調解成立 Mediation Sustained	其他 Other	Litigation type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				
合會	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Pooled loan
人事保證	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Employment guaranty
利息等定期給付	2	-	-	2.0	2	-	-	-	-	-	-	-	-	-	-	-	Periodical payment of interest and the like
所有權	563	6	-	437.0	405	0.5	22	9.5	97.0	86	8.5	1	1.5	-	4	19	Ownership
土地	391	5	-	295.0	272	0.5	16	6.5	74.0	66	5.5	1	1.5	-	3	14	Land property
房屋	89	1	-	75.0	69	-	3	3.0	13.0	10	3.0	-	-	-	-	-	Building property
分割共有物	56	-	-	47.0	47	-	-	-	4.0	4	-	-	-	-	1	4	Division of joint property
不動產鑑界	2	-	-	2.0	2	-	-	-	-	-	-	-	-	-	-	-	Boundaries of immovables
其他	25	-	-	18.0	15	-	3	-	6.0	6	-	-	-	-	-	1	Other
地上權	11	-	-	9.0	8	-	1	-	2.0	2	-	-	-	-	-	-	Superficies
地役權	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Predialservitude
抵押權	53	-	-	40.0	36	-	3	1.0	13.0	11	1.0	1	-	-	-	-	Mortgage
土地	40	-	-	30.0	26	-	3	1.0	10.0	8	1.0	1	-	-	-	-	Land
房屋	13	-	-	10.0	10	-	-	-	3.0	3	-	-	-	-	-	-	Building
其他	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Other
質權	1	-	-	1.0	1	-	-	-	-	-	-	-	-	-	-	-	Pledge
占有	2	-	-	2.0	2	-	-	-	-	-	-	-	-	-	-	-	Possession
其他	98	1	1	77.5	74	-	1	2.5	16.5	14	2.0	-	0.5	-	1	1	Other
親屬	166	1	-	135.0	124	-	7	4.0	27.0	23	4.0	-	-	-	3	-	Family
監護	1	-	-	1.0	1	-	-	-	-	-	-	-	-	-	-	-	Guardianship
婚姻	148	1	-	119.0	109	-	6	4.0	25.0	21	4.0	-	-	-	3	-	Marriage
離婚	91	-	-	75.0	69	-	4	2.0	14.0	12	2.0	-	-	-	2	-	Divorce
離婚－其他	5	-	-	4.0	4	-	-	-	1.0	1	-	-	-	-	-	-	Divorce Other
婚約	1	-	-	1.0	1	-	-	-	-	-	-	-	-	-	-	-	Betrothal
履行同居	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Fulfillment of cohabitation
其他	51	1	-	39.0	35	-	2	2.0	10.0	8	2.0	-	-	-	1	-	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)

單位：件(Unit: case)

訴訟種類	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	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					
認領	4	-	-	4.0	4	-	-	-	-	-	-	-	-	-	-	-	-	Acknowledgment
收養	4	-	-	4.0	4	-	-	-	-	-	-	-	-	-	-	-	-	Adoption
扶養	1	-	-	1.0	1	-	-	-	-	-	-	-	-	-	-	-	-	Maintenance
贍養費	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Alimonies
其他	8	-	-	6.0	5	-	1	-	2.0	2	-	-	-	-	-	-	-	Other
繼承	122	-	-	85.5	76	0.5	6	3.0	24.5	22	1.5	-	1.0	-	1	11		Succession
遺產	108	-	-	72.5	66	0.5	3	3.0	23.5	21	1.5	-	1.0	-	1	11		Estate
遺囑	12	-	-	11.0	8	-	3	-	1.0	1	-	-	-	-	-	-		Wills
其他	2	-	-	2.0	2	-	-	-	-	-	-	-	-	-	-	-		Other
其他	31	-	-	21.5	20	-	1	0.5	8.5	8	0.5	-	-	-	-	1		Other
民事特別法計	687	2	3	527.0	460	0.5	53	13.5	135.0	120	12.5	1	1.5	-	9	11		Subtotal of Special Law
公司法	83	1	-	63.5	47	0.5	16	-	18.5	17	0.5	1	-	-	-	-		Company law
撤銷股東會決議	11	-	-	9.0	8	-	1	-	2.0	2	-	-	-	-	-	-		Withdrawal of shareholders meeting resolutions
確認股東會決議無效	15	-	-	10.0	7	-	3	-	5.0	4	-	1	-	-	-	-		Invalidation of shareholders meeting resolutions
公司對董事或監察人訴訟	2	-	-	1.0	1	-	-	-	1.0	1	-	-	-	-	-	-		Company suing director or auditor
其他	55	1	-	43.5	31	0.5	12	-	10.5	10	0.5	-	-	-	-	-		Other
票據法	52	-	-	37.5	36	-	1	0.5	13.5	13	0.5	-	-	-	-	1		Law of negotiable instruments
給付票款	11	-	-	7.5	7	-	-	0.5	3.5	3	0.5	-	-	-	-	-		Payment of negotiable instruments
償還票據所受利益	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		Repayment of interest accrued on negotiable instruments
其他	41	-	-	30.0	29	-	1	-	10.0	10	-	-	-	-	-	1		Other
海商事件	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1		Maritime matters
保險事件	23	-	-	18.0	18	-	-	-	5.0	5	-	-	-	-	-	-		Insurance matters
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(續完)

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

單位：件(Unit: case)

訴訟種類	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	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	21	-	-	18.0	18	-	-	-	3.0	3	-	-	-	-	-	-	Land law
土地或房屋優先承買權	16	-	-	14.0	14	-	-	-	2.0	2	-	-	-	-	-	-	Priority to buy land or building properties
土地或房屋租用	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Land or building leases
耕地租用	1	-	-	1.0	1	-	-	-	-	-	-	-	-	-	-	-	Farmland lease
其他	4	-	-	3.0	3	-	-	-	1.0	1	-	-	-	-	-	-	Other
三七五租約	19	-	-	15.0	14	-	1	-	3.0	3	-	-	-	-	-	1	The 3/8th tenants lease act
證券交易	2	-	-	2.0	2	-	-	-	-	-	-	-	-	-	-	-	Securities trading
國際貿易	5	-	-	4.0	3	-	1	-	1.0	1	-	-	-	-	-	-	International trade
國家賠償	48	-	1	35.0	33	-	1	1.0	9.0	8	1.0	-	-	-	-	3	State compensation
執行事件訴訟	117	-	-	92.0	84	-	6	2.0	22.0	20	1.5	-	0.5	-	2	1	Execution litigation
撤銷仲裁判斷事件	9	-	-	7.0	5	-	2	-	2.0	2	-	-	-	-	-	-	Arbitral award annulment matters
選舉罷免訴訟	2	-	-	2.0	2	-	-	-	-	-	-	-	-	-	-	-	Election and recall litigation
勞動事件法	154	-	-	118.5	98	-	15	5.5	29.5	24	5.0	-	0.5	-	6	-	Labor Incident Act
確認僱傭關係(含併請求給付工資)	68	-	-	53.0	46	-	6	1.0	12.0	11	1.0	-	-	-	3	-	Confirmation of the existence of employment relationship(along with wage
請求給付工資	19	-	-	15.5	13	-	1	1.5	2.5	1	1.5	-	-	-	1	-	Wage payment claim
請求給付退休金或資遣費	29	-	-	21.5	18	-	2	1.5	7.5	6	1.5	-	-	-	-	-	Retirement or severance payment claim
請求給予獎金或分配紅利	2	-	-	2.0	2	-	-	-	-	-	-	-	-	-	-	-	Incentive or bonus payment claim
請求給付職業災害補償或賠償	11	-	-	9.0	6	-	2	1.0	2.0	1	0.5	-	0.5	-	-	-	Compensation for occupational accidents claim
請求給付其他損害賠償	15	-	-	10.5	8	-	2	0.5	2.5	2	0.5	-	-	-	2	-	Other damages claim
其他	10	-	-	7.0	5	-	2	-	3.0	3	-	-	-	-	-	-	Other
著作權	25	-	2	18.0	16	-	1	1.0	5.0	4	1.0	-	-	-	-	-	Copyright
專利權	33	1	-	28.0	26	-	1	1.0	4.0	3	1.0	-	-	-	-	-	Patent-right
商標專用權	10	-	-	6.5	5	-	1	0.5	2.5	2	0.5	-	-	-	1	-	Right of exclusive use of a trademark
其他	83	-	-	62.0	53	-	7	2.0	17.0	15	1.5	-	0.5	-	-	4	Other