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訴訟種類	合計 Total	撤回上訴 Appeals withdrawn	撤回第一審之訴 Withdrawal of lawsuits in first instance	駁回上訴 Repealed appeals					廢棄原判 Reason of recindment					和解 Conciliation	調解成立 Mediation Sustained	其他 Other	Litigation type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	**2 456**	**10**	**3**	**1 893.5**	**1 753**	**2.0**	**76**	**62.5**	**489.5**	**426**	**60.5**	**-**	**3.0**	**-**	**25**	**35**	**Total**
民法計	1 960	6	3	1 503.5	1 399	2.0	53	49.5	397.5	347	48.5	-	2.0	-	19	31	Subtotal of civil law
財產	1 697	4	3	1 285.5	1 200	2.0	39	44.5	361.5	316	44.0	-	1.5	-	16	27	Monetary assets
不當得利	143	2	-	110.0	101	-	7	2.0	25.0	23	2.0	-	-	-	3	3	Unjust enrichment
損害賠償	349	-	1	250.0	234	0.5	5	10.5	88.0	77	10.5	-	0.5	-	5	5	Damage compensation
侵權行為	283	-	1	200.5	190	0.5	2	8.0	71.5	63	8.5	-	-	-	5	5	Tort
債務不履行	66	-	-	49.5	44	-	3	2.5	16.5	14	2.0	-	0.5	-	-	-	Nonperformance of obligation
買賣	174	-	-	143.5	136	-	5	2.5	28.5	26	2.5	-	-	-	1	1	Sale
贈與	19	-	-	16.0	16	-	-	-	3.0	3	-	-	-	-	-	-	Gift
租賃	46	-	-	33.5	27	-	4	2.5	10.5	8	2.5	-	-	-	1	1	Lease
土地	14	-	-	12.0	10	-	1	1.0	2.0	1	1.0	-	-	-	-	-	Land property
房屋	24	-	-	14.5	11	-	2	1.5	8.5	7	1.5	-	-	-	-	1	Building property
其他	8	-	-	7.0	6	-	1	-	-	-	-	-	-	-	1	-	Other
借貸	124	-	-	101.0	95	-	2	4.0	21.0	17	4.0	-	-	-	2	-	Load
消費	122	-	-	99.0	93	-	2	4.0	21.0	17	4.0	-	-	-	2	-	Consumption
使用	2	-	-	2.0	2	-	-	-	-	-	-	-	-	-	-	-	Utilization
僱傭	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Hire of services
承攬	152	-	1	108.0	101	-	-	7.0	42.0	35	7.0	-	-	-	-	1	Hire of work
旅遊	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Travel
出版	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Publication
委任	86	-	-	66.0	60	0.5	3	2.5	18.0	15	3.0	-	-	-	1	1	Mandate
寄託	7	-	-	5.0	5	-	-	-	1.0	1	-	-	-	-	-	1	Deposit
倉庫	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Warehousing
運送營業	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Carriage
合夥	22	1	-	17.0	17	-	-	-	3.0	3	-	-	-	-	1	-	Partnership
和解	4	-	-	3.0	3	-	-	-	-	-	-	-	-	-	-	1	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訴訟種類	合計 Total	撤回上訴 Appeals withdrawn	撤回第一審之訴 Withdrawal of lawsuits in first instance	駁回上訴 Repealed appeals					廢棄原判 Reason of recindment						和解 Conciliation	調解成立 Mediation Sustained	其他 Other	Litigation type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	1	-	-	1.0	1	-	-	-	-	-	-	-	-	-	-	-	-	Pooled loan
人事保證	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Employment guaranty
利息等定期給付	1	-	-	1.0	-	-	1	-	-	-	-	-	-	-	-	-	-	Periodical payment of interest and the like
所有權	467	1	1	347.5	326	1.0	9	11.5	102.5	91	10.5	-	1.0	-	2	13	-	Ownership
土地	306	1	-	224.0	205	0.5	9	9.5	70.0	60	9.0	-	1.0	-	1	10	-	Land property
房屋	84	-	1	72.0	70	0.5	-	1.5	10.0	9	1.0	-	-	-	1	-	-	Building property
分割共有物	57	-	-	34.5	34	-	-	0.5	19.5	19	0.5	-	-	-	-	3	-	Division of joint property
不動產鑑界	5	-	-	4.0	4	-	-	-	1.0	1	-	-	-	-	-	-	-	Boundaries of immovables
其他	15	-	-	13.0	13	-	-	-	2.0	2	-	-	-	-	-	-	-	Other
地上權	4	-	-	4.0	4	-	-	-	-	-	-	-	-	-	-	-	-	Superficies
地役權	1	-	-	-	-	-	-	-	1.0	1	-	-	-	-	-	-	-	Predialservitude
抵押權	40	-	-	35.0	34	-	1	-	5.0	5	-	-	-	-	-	-	-	Mortgage
土地	30	-	-	26.0	25	-	1	-	4.0	4	-	-	-	-	-	-	-	Land
房屋	9	-	-	8.0	8	-	-	-	1.0	1	-	-	-	-	-	-	-	Building
其他	1	-	-	1.0	1	-	-	-	-	-	-	-	-	-	-	-	-	Other
質權	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Pledge
占有	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Possession
其他	57	-	-	44.0	40	-	2	2.0	13.0	11	2.0	-	-	-	-	-	-	Other
親屬	136	1	-	120.5	110	-	8	2.5	13.5	11	2.5	-	-	-	-	1	-	Family
監護	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Guardianship
婚姻	120	1	-	107.5	98	-	7	2.5	10.5	8	2.5	-	-	-	-	1	-	Marriage
離婚	60	-	-	58.0	54	-	3	1.0	1.0	-	1.0	-	-	-	-	1	-	Divorce
離婚－其他	3	-	-	3.0	3	-	-	-	-	-	-	-	-	-	-	-	-	Divorce Other
婚約	1	-	-	1.0	1	-	-	-	-	-	-	-	-	-	-	-	-	Betrothal
履行同居	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Fulfillment of cohabitation
其他	56	1	-	45.5	40	-	4	1.5	9.5	8	1.5	-	-	-	-	-	-	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	撤回上訴	撤回第一審之訴	駁回上訴 Repealed appeals					廢棄原判 Reason of recindment					和解	調解成立	其他	Litigation type
				計	不合法 Improform		無理由 groundless		計	發回更審 Referred back to previous court for new trial		自為判決 Supreme Court itself renders a judgment					
					全部	部分	全部	部分		全部	部分	全部	部分				
	Total	Appeals withdrawn	Withdrawal of lawsuits in first instance	Subtotal	All	Part	All	Part	Subtotal	All	Part	All	Part	Conciliation	Mediation Sustained	Other	
認領	2	-	-	2.0	2	-	-	-	-	-	-	-	-	-	-	-	Acknowledgment
收養	5	-	-	4.0	4	-	-	-	1.0	1	-	-	-	-	-	-	Adoption
扶養	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Maintenance
贍養費	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Alimonies
其他	9	-	-	7.0	6	-	1	-	2.0	2	-	-	-	-	-	-	Other
繼承	107	-	-	82.0	78	-	3	1.0	19.0	18	1.0	-	-	-	2	4	Succession
遺產	90	-	-	68.5	65	-	3	0.5	15.5	15	0.5	-	-	-	2	4	Estate
遺囑	9	-	-	8.0	8	-	-	-	1.0	1	-	-	-	-	-	-	Wills
其他	8	-	-	5.5	5	-	-	0.5	2.5	2	0.5	-	-	-	-	-	Other
其他	20	1	-	15.5	11	-	3	1.5	3.5	2	1.0	-	0.5	-	-	-	Other
民事特別法計	496	4	-	390.0	354	-	23	13.0	92.0	79	12.0	-	1.0	-	6	4	Subtotal of Special Law
公司法	66	-	-	50.5	46	-	3	1.5	15.5	14	1.5	-	-	-	-	-	Company law
撤銷股東會決議	8	-	-	7.0	6	-	1	-	1.0	1	-	-	-	-	-	-	Withdrawal of shareholders meeting resolutions
確認股東會決議無效	15	-	-	13.0	11	-	1	1.0	2.0	1	1.0	-	-	-	-	-	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	41	-	-	29.5	28	-	1	0.5	11.5	11	0.5	-	-	-	-	-	Other
票據法	44	2	-	29.0	28	-	1	-	10.0	10	-	-	-	-	1	2	Law of negotiable instruments
給付票款	9	1	-	7.0	6	-	1	-	1.0	1	-	-	-	-	-	-	Payment of negotiable instruments
償還票據所受利益	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Repayment of interest accrued on negotiable instruments
其他	35	1	-	22.0	22	-	-	-	9.0	9	-	-	-	-	1	2	Other
海商事件	5	-	-	3.0	3	-	-	-	2.0	2	-	-	-	-	-	-	Maritime matters
保險事件	18	-	-	16.0	13	-	3	-	2.0	2	-	-	-	-	-	-	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	20	-	-	18.0	16	-	2	-	2.0	2	-	-	-	-	-	-	-	Land law
土地或房屋優先承買權	13	-	-	12.0	11	-	1	-	1.0	1	-	-	-	-	-	-	-	Priority to buy land or building properties
土地或房屋租用	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Land or building leases
耕地租用	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Farmland lease
其他	7	-	-	6.0	5	-	1	-	1.0	1	-	-	-	-	-	-	-	Other
三七五租約	23	-	-	19.5	17	-	2	0.5	3.5	3	0.5	-	-	-	-	-	-	The 3/8th tenants lease act
證券交易	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Securities trading
國際貿易	2	-	-	1.0	1	-	-	-	1.0	1	-	-	-	-	-	-	-	International trade
國家賠償	41	-	-	33.5	31	-	2	0.5	7.5	7	0.5	-	-	-	-	-	-	State compensation
執行事件訴訟	72	1	-	56.5	53	-	1	2.5	13.5	11	2.5	-	-	-	-	-	1	Execution litigation
撤銷仲裁判斷事件	5	-	-	5.0	5	-	-	-	-	-	-	-	-	-	-	-	-	Arbitral award annulment matters
選舉罷免訴訟	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	Election and recall litigation
勞動事件法	123	1	-	102.5	92	-	6	4.5	15.5	11	3.5	-	1.0	-	4	-	-	Labor Incident Act
確認僱傭關係(含併請求給付工資)	64	-	-	54.5	51	-	1	2.5	8.5	6	2.0	-	0.5	-	1	-	-	Confirmation of the existence of employment relationship(along with wage payment claim)
請求給付工資	13	-	-	11.5	10	-	1	0.5	1.5	1	0.5	-	-	-	-	-	-	Wage payment claim
請求給付退休金或資遣費	20	-	-	14.0	12	-	1	1.0	3.0	2	1.0	-	-	-	3	-	-	Retirement or severance payment claim
請求給予獎金或分配紅利	1	-	-	1.0	1	-	-	-	-	-	-	-	-	-	-	-	-	Incentive or bonus payment claim
請求給付職業災害補償或賠償	6	-	-	5.5	5	-	-	0.5	0.5	-	-	-	0.5	-	-	-	-	Compensation for occupational accidents claim
請求給付其他損害賠償	13	1	-	10.0	7	-	3	-	2.0	2	-	-	-	-	-	-	-	Other damages claim
其他	6	-	-	6.0	6	-	-	-	-	-	-	-	-	-	-	-	-	Other
著作權	8	-	-	4.0	4	-	-	-	3.0	3	-	-	-	-	-	-	1	Copyright
專利權	19	-	-	14.0	11	-	2	1.0	5.0	4	1.0	-	-	-	-	-	-	Patent-right
商標專用權	9	-	-	5.0	4	-	-	1.0	3.0	2	1.0	-	-	-	1	-	-	Right of exclusive use of a trademark
其他	41	-	-	32.5	30	-	1	1.5	8.5	7	1.5	-	-	-	-	-	-	Other