5.最高法院民事上訴事件終結情形－按訴訟種類分

中華民國 103年　　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訴訟種類 Litigation type	合計 Total	撤回上訴 Appeal withdrawn	撤回第一審之訴 Withdrawal of lawsuits in first instance	駁回上訴		
				計 Subtotal	不合法 Improform	
					全部 All	部分 Part
合計 Total	**2 877**	**30**	**-**	**2 043.5**	**1 622**	**0.5**
民法 Subtotal of civil law	2 224	22	-	1 588.0	1 285	0.5
財產 Monetary assets	1 986	21	-	1 407.0	1 129	0.5
不當得利 Unjust enrichment	127	1	-	95.0	80	-
損害賠償 Damage compensation	470	8	-	346.5	295	-
侵權行為 Tort	396	6	-	298.0	255	-
債務不履行 Nonperformance of obligation	72	2	-	46.5	38	-
買賣 Sale	196	-	-	135.5	104	-
贈與 Gift	17	-	-	14.5	12	-
租賃 Lease	36	-	-	22.5	18	-
土地 Land property	17	-	-	15.5	12	-
房屋 Building property	13	-	-	6.0	5	-
其他 Other	6	-	-	1.0	1	-
借貸 Load	123	1	-	91.0	76	-
消費 Consumption	123	1	-	91.0	76	-
使用 Utilization	-	-	-	-	-	-
僱傭 Hire of services	3	-	-	2.0	2	-
承攬 Hire of work	240	1	-	149.5	104	-
旅遊 Travel	-	-	-	-	-	-
出版 Publication	-	-	-	-	-	-
委任 Mandate	52	-	-	38.5	26	-
寄託 Deposit	9	-	-	6.5	6	0.5
倉庫 Warehousing	-	-	-	-	-	-
運送營業 Carriage	1	-	-	-	-	-
合夥 Partnership	17	-	-	11.0	7	-
和解 Compromise	8	-	-	6.0	5	-

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

2014 Unit: case

Repealed appeals		廢棄原判 Reason of recindment					和解	其他
無理由 groundless		計	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	Subtotal	全部 All	部分 Part	全部 All	部分 Part	Conciliation	Other
336	**85.0**	**718.5**	**629**	**80.0**	**1**	**8.5**	**-**	**85**
238	64.5	551.0	482	61.5	1	6.5	-	63
219	58.5	508.0	445	56.0	1	6.0	-	50
10	5.0	28.0	23	4.5	-	0.5	-	3
35	16.5	107.5	90	16.0	-	1.5	-	8
29	14.0	87.0	72	13.5	-	1.5	-	5
6	2.5	20.5	18	2.5	-	-	-	3
24	7.5	58.5	51	7.0	-	0.5	-	2
2	0.5	2.5	2	0.5	-	-	-	-
3	1.5	11.5	10	1.5	-	-	-	2
3	0.5	1.5	1	0.5	-	-	-	-
-	1.0	7.0	6	1.0	-	-	-	-
-	-	3.0	3	-	-	-	-	2
13	2.0	28.0	26	2.0	-	-	-	3
13	2.0	28.0	26	2.0	-	-	-	3
-	-	-	-	-	-	-	-	-
-	-	1.0	1	-	-	-	-	-
32	13.5	85.5	71	13.5	-	1.0	-	4
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
12	0.5	13.5	13	0.5	-	-	-	-
-	-	2.5	2	0.5	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	1.0	1	-	-	-	-	-
4	-	6.0	6	-	-	-	-	-
1	-	2.0	2	-	-	-	-	-

5.最高法院民事上訴事件終結情形－按訴訟種類分(續一)

中華民國 103 年　　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訴訟種類 Litigation type	合計 Total	撤回上訴 Appeal withdrawn	撤回第一審之訴 Withdrawal of lawsuits in first instance	駁回上訴		
				計 Subtotal	不合法 Improform	
					全部 All	部分 Part
合會 Pooled loan	-	-	-	-	-	-
人事保證 Employment guaranty	1	-	-	1.0	-	-
利息等定期給付 Periodical payment of interest and the like	1	-	-	0.5	-	-
所有權 Ownership	576	10	-	409.5	329	-
土地 Land property	403	6	-	280.5	220	-
房屋 Building property	101	1	-	74.5	61	-
分割共有物 Division of joint property	46	2	-	33.5	30	-
不動產經界 Boundaries of immovables	7	-	-	5.0	5	-
其他 Other	19	1	-	16.0	13	-
地上權 Superficies	4	-	-	3.0	-	-
地役權 Predialservitude	-	-	-	-	-	-
抵押權 Mortgage	46	-	-	34.5	31	-
土地 Land	40	-	-	28.5	25	-
房屋 Building	5	-	-	5.0	5	-
其他 Other	1	-	-	1.0	1	-
質權 Pledge	3	-	-	2.0	2	-
占有 Possession	1	-	-	1.0	1	-
其他 Other	56	-	-	38.0	32	-
親屬 Family	125	1	-	101.0	93	-
監護 Guardianship	-	-	-	-	-	-
婚姻 Marriage	107	1	-	88.0	82	-
離婚 Divorce	72	1	-	58.0	55	-
離婚－其他 Divorce Other	2	-	-	2.0	2	-
婚約 Betrothal	-	-	-	-	-	-
履行同居 Fulfillment of cohabitation	-	-	-	-	-	-
其他 Other	33	-	-	28.0	25	-

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

2014 Unit: case

Repealed appeals		廢棄原判 Reason of recindment					和解	其他
無理由 groundless		計	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	Subtotal	全部 All	部分 Part	全部 All	部分 Part	Conciliation	Other
-	-	-	-	-	-	-	-	-
1	-	-	-	-	-	-	-	-
-	0.5	0.5	-	0.5	-	-	-	-
71	9.5	132.5	122	8.0	-	2.5	-	24
53	7.5	99.5	91	7.0	-	1.5	-	17
12	1.5	19.5	18	1.0	-	0.5	-	6
3	0.5	9.5	9	-	-	0.5	-	1
-	-	2.0	2	-	-	-	-	-
3	-	2.0	2	-	-	-	-	-
3	-	-	-	-	-	-	-	1
-	-	-	-	-	-	-	-	-
3	0.5	11.5	11	0.5	-	-	-	-
3	0.5	11.5	11	0.5	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	1.0	1	-	-	-	-	-
-	-	-	-	-	-	-	-	-
5	1.0	15.0	13	1.0	1	-	-	3
5	3.0	19.0	16	2.5	-	0.5	-	4
-	-	-	-	-	-	-	-	-
3	3.0	14.0	11	2.5	-	0.5	-	4
2	1.0	9.0	8	0.5	-	0.5	-	4
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
1	2.0	5.0	3	2.0	-	-	-	-

5.最高法院民事上訴事件終結情形－按訴訟種類分(續二)

中華民國 103 年　　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		
				計 Subtotal	不合法 Improform	
					全部 All	部分 Part
認領 Acknowledgment	2	-	-	-	-	-
收養 Adoption	6	-	-	5.0	5	-
扶養 Maintenance	3	-	-	3.0	3	-
贍養費 Alimonies	1	-	-	1.0	1	-
其他 Other	6	-	-	4.0	2	-
繼承 Succession	91	-	-	69.5	55	-
遺產 Estate	73	-	-	54.5	44	-
遺囑 Wills	12	-	-	11.0	10	-
其他 Other	6	-	-	4.0	1	-
其他 Other	22	-	-	10.5	8	-
民事特別法計 Subtotal of Special Law	653	8	-	455.5	337	-
公司法 Company law	47	-	-	27.5	18	-
撤銷股東會決議 Withdrawal of shareholders meeting resolutions	7	-	-	4.5	2	-
確認股東會決議無效 Invalidation of shareholders meeting resolutions	16	-	-	9.5	6	-
公司對董事或監察人訴訟 Company suing director or auditor	-	-	-	-	-	-
其他 Other	24	-	-	13.5	10	-
票據法 Law of negotiable instruments	45	2	-	21.0	17	-
給付票款 Payment of negotiable instruments	19	1	-	5.5	3	-
償還票據所受利益 Repayment of interest accrued on negotiable instruments	-	-	-	-	-	-
其他 Other	26	1	-	15.5	14	-
海商事件 Maritime matters	7	-	-	2.0	1	-
保險事件 Insurance matters	48	-	-	37.5	32	-
動產擔保交易 Personal property secured transactions	-	-	-	-	-	-

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

2014 Unit: case

Repealed appeals		廢棄原判 Reason of recindment					和解	其他
無理由 groundless		計	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	Subtotal	全部 All	部分 Part	全部 All	部分 Part	Conciliation	Other
-	-	2.0	2	-	-	-	-	-
-	-	1.0	1	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
2	-	2.0	2	-	-	-	-	-
12	2.5	17.5	15	2.5	-	-	-	4
8	2.5	15.5	13	2.5	-	-	-	3
1	-	-	-	-	-	-	-	1
3	-	2.0	2	-	-	-	-	-
2	0.5	6.5	6	0.5	-	-	-	5
98	20.5	167.5	147	18.5	-	2.0	-	22
7	2.5	17.5	15	2.5	-	-	-	2
2	0.5	2.5	2	0.5	-	-	-	-
2	1.5	6.5	5	1.5	-	-	-	-
-	-	-	-	-	-	-	-	-
3	0.5	8.5	8	0.5	-	-	-	2
3	1.0	19.0	18	1.0	-	-	-	3
2	0.5	9.5	9	0.5	-	-	-	3
-	-	-	-	-	-	-	-	-
1	0.5	9.5	9	0.5	-	-	-	-
1	-	5.0	5	-	-	-	-	-
5	0.5	8.5	8	0.5	-	-	-	2
-	-	-	-	-	-	-	-	-

5.最高法院民事上訴事件終結情形－按訴訟種類分(續三完)

中華民國 103 年　　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		
				計 Subtotal	不合法 Improform	
					全部 All	部分 Part
土地法 Land law	22	-	-	15.0	12	-
土地或房屋優先承買權 Priority to buy land or building properties	15	-	-	9.0	7	-
土地或房屋租用 Land or building leases	1	-	-	1.0	1	-
耕地租用 Farmland lease	1	-	-	1.0	1	-
其他 Other	5	-	-	4.0	3	-
三七五租約 The 3/8th tenants lease act	35	1	-	25.0	22	-
證券交易 Securities trading	-	-	-	-	-	-
國際貿易 International trade	1	-	-	1.0	1	-
國家賠償 State compensation	52	-	-	36.0	28	-
執行事件訴訟 Execution litigation	145	-	-	103.5	78	-
撤銷仲裁判斷事件 Arbitral award annulment matters	8	-	-	4.0	4	-
選舉罷免訴訟 Election and recall litigation	-	-	-	-	-	-
勞資爭議處理法 Management-labor dispute settlement law	143	2	-	108.5	81	-
請求給付工資 Wage payment claim	26	1	-	20.0	14	-
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	23	-	-	16.5	10	-
請求給予獎金或分配紅利 Incentive or bonus payment claim	2	-	-	1.0	1	-
請求給予損害賠償或職業災害補償 Claim of damages or compensation for occupational accidents	11	1	-	8.5	6	-
其他 Other	81	-	-	62.5	50	-
著作權 Copyright	13	-	-	11.0	6	-
專利權 Patent-right	29	3	-	18.5	6	-
商標專用權 Right of exclusive use of a trademark	11	-	-	9.5	7	-
其他 Other	47	-	-	35.5	24	-

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

2014 Unit: case

Repealed appeals		廢棄原判 Reason of recindment					和解	其他
無理由 groundless		計	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	Subtotal	全部 All	部分 Part	全部 All	部分 Part	Conciliation	Other
3	-	7.0	7	-	-	-	-	-
2	-	6.0	6	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
1	-	1.0	1	-	-	-	-	-
3	-	8.0	8	-	-	-	-	1
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
7	1.0	16.0	15	1.0	-	-	-	-
23	2.5	34.5	32	2.0	-	0.5	-	7
-	-	4.0	4	-	-	-	-	-
-	-	-	-	-	-	-	-	-
17	10.5	31.5	21	9.0	-	1.5	-	1
4	2.0	5.0	3	2.0	-	-	-	-
-	-	-	-	-	-	-	-	-
4	2.5	6.5	4	2.5	-	-	-	-
-	-	1.0	1	-	-	-	-	-
2	0.5	1.5	1	-	-	0.5	-	-
7	5.5	17.5	12	4.5	-	1.0	-	1
5	-	1.0	1	-	-	-	-	1
11	1.5	7.5	6	1.5	-	-	-	-
2	0.5	1.5	1	0.5	-	-	-	-
11	0.5	6.5	6	0.5	-	-	-	5