

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference:INT/WMID/2023/155

Mr. Alakta Khamrai Complainant

vs

Nirnoy Hospital.....Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	27/09/2023	<p>The complaint would relate to intra-operative complication in a case of laparoscopic hysterectomy. As a result, there had been colon injury. The concerned doctor immediately realised his mistake and with the help of another surgeon, did the curative surgery. Stoma was placed that required further replacement which the complainant did at Apollo, Chennai, involving a sum of Rs. 1.86 lakhs as we find from the bill of Apollo, Chennai.</p> <p>The complainant did not make any appropriate complaint before the West Bengal Medical Council as against the concerned doctor.</p> <p>It is true, the concerned CE would belong to the</p>

surgeon himself however, unless and until there is appropriate adjudication fixing the responsibility of the concerned surgeon it would be difficult for us to blame the concerned CE which is a separate juristic entity.

The complainant would contend, there had been lack of infrastructure. Such question may be gone into at the appropriate stage through administrative action.

We permit the complaint to approach us afresh in case he is successful before the West Bengal Medical Council, if approached.

The complaint is disposed of accordingly.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Prof. (Dr.) Makhan Lal Saha – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Smt Madhabi Das – Member

Aulter Acalo
W B
Secretary
West Bengal Clinical Establishment
Regulatory Commission

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