

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference: INT/KOL/2023/178

Mr. Shovan Pal Complainant

vs

Narayan Memorial Hospital.....Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	05/10/2023	<p>This complaint would relate to mis-match in the investigation report.</p> <p>The couple approached the hospital for some pathological tests as suggested by their respective doctors. Incidentally some of the tests were common. However, the tests to be done for the lady were done in respect of her husband.</p> <p>When it was pointed out the hospital prayed for apology and asked them to come for repeat tests.</p> <p>When the second time they approached for the repeat tests CE compelled the concerned lady to pay for the repeat test. This is something unheard of.</p>

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Misery does not end there. The complainant, son of the couple approached us with his complaint through mail dated September 3, 2023. We forwarded the mail to the hospital on September 21, 2023 and asked for their response. According to the management, they came to know of this mis-match after receipt of the copy of the complaint and tried to contact the complainant over phone.

The complainant would contend, initially the concerned person who took the money for the repeat tests, made a phone call and requested him to withdraw the complaint as her employment would be at stake. The complainant did not agree. Thereafter Ms. Sagata Chatterjee, Head of Operation, made the similar request on September 22, 2023 over phone and asked the complainant to come to the hospital to take back the excess amount.

She also personally visited the residence of the couple and made similar request however, the complainant would contend, both the approaches of Ms.



Chatterjee were stapled with the pre condition*that he should withdraw the complaint.

Ms. Chatterjee, however, would deny such assertion of the complainant. According to her, she only offered refund of the money that the complainant did not agree to accept before hearing of the complaint.

We have considered the rival contentions. The mistake occurred through inadvertence however, the effect is disastrous. Yet, we would condone the mistake if the repeat test was done free of cost that was not done. When the hospital received a copy of the complaint they should not have made any pre condition for refund of the money.

Even if we agree with Ms. Chatterjee, that such pre condition was not stapled with such request we cannot conceive of how they could ask the complainant to come to hospital to collect the money.

We deprecate the conduct of the management.

We direct refund of Rs. 820/- through bank transfer



on sharing of the bank details of Mr. Ramprasad Pal, father of the complainant.

The hospital is also directed to pay Rs. 5,000/- as a token compensation to the complainant. CE must be cautious enough to see there is no such recurrence in future.

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/-

Sri. Sutirtha Bhattacharya, IAS (Retd)- Member

Sd/-

Smt Madhabi Das – Member

Authenticated
[Signature]
Secretary
West Bengal Clinical Establishment
Regulatory Commission