

Office of the West Bengal Clinical Establishment Regulatory Commission
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Case Reference: INT/SPG/2023/232

Mr. Trina Bhadra Basu Complainants

vs

IRIS hospital, Kolkata..... Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	I.	11/01/2024	<p>The complaint would relate to post surgical complication that has resulted immense suffering of the patient requiring curative surgery. The patient was on ventilation for a considerable period. By the grace of god she could come out of the trauma and is still suffering for such complication.</p> <p>We have heard the parties in detail. Our medical experts have evaluated the medical records.</p> <p>In a case of liposuction the patient was released on the next day of her surgery despite her discomfort complained of.</p> <p>The concerned surgeon is present online. He was</p>

instrumental in the curative surgery in another establishment. We do not wish to make any comment on the same.

We find, despite repeated complaints of discomfort the medical records maintained by the first establishment would speak otherwise.

The concerned RMO Dr. Arnab Deb Burman and concerned Anaesthetist Dr. Saumyadeep Gupta examined the patient on more than one occasion and did not record any such discomfort being complained of by the patient.

Dr. Ghosh, the concerned surgeon would however, candid enough to admit, he saw the patient on the next day before discharge and noticed discomfort however, no noting on that score, is appearing in the medical records.

Dr. Ghosh would contend, when the patient complained through her family members over phone he advised the patient to take analgesic injection.

The patient, on her own, took admission in another establishment. Incidentally Dr. Ghosh was also there in



the treating team in the second establishment.

After curative surgery on two occasions the patient could survive. Her sufferings are still continuing resulting in physical discomfort, mental stress and loss of working ability. She, being a single mother, is in acute financial distress because of the post surgical incident narrated above.

Dr. Ghosh would inform us, during curative surgery he did not bill the patient however, he is not prepared to take any financial burden by showing empathy to the patient. So is the case of clinical establishment.

We refer the issue to the West Bengal Medical Council with a request to resolve the issue with a logical conclusion.

In case we get a positive response from the West Bengal Medical Council on medical negligence we would reopen the case as against IRIS Hospital, the first Clinical Establishment and consider financial

compensation to be awarded in favour of the complainant.

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/-

Sri. Sutirtha Bhattacharya, IAS (Retd)- Member

Sd/-

Smt Madhabi Das – Member

Authenticated

[Signature]
Secretary
West Bengal Clinical Establishment
Regulatory Commission

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