

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference:INT/NPG/2023/234

Mr. Ichha Ali Baidya Complainants

vs

Swasti Eye & Super Speciality Nursing Home.....Respondent/
Respondents

ORDER SHEET

| Office Note | Order No. | Date | Order |
|-------------|-----------|------------|---|
| | 1. | 11/01/2024 | <p>The complaint would relate to failure of appraisal of ultra sound report.The report revealed left sided Ectopic Pregnancy and right sided Hydrosalphix. The patient had undergone surgery under care of Dr. Basudeb Chakraborty. The operation note reveal an Adnexal mass which could not be reached because of adhesion and a right salpingectomy was done for hematosalpinx and perforation. However, in discharge certificate it was mentioned by RMO that left salpingectomy was done for Ectopic Pregnancy which was in contrast with the operation note.</p> <p>The patient suffered for a month with left sided Ectopic pregnancy and was ultimately operated in the</p> |

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| | | <p>second CE and was cured. This resulted in loss of her both fallopian tubes.</p> <p>We have heard the parties at length. We have also heard the concerned gynaecologist. Wrong appraisal of ultrasound report would be outside our domain and the complainant would be free to approach the appropriate authority as against the concerned gynaecologist.</p> <p>We are concerned with the clinical establishment. The complainant would categorically contend, she approached the Clinical Establishment who introduced the concerned gynaecologist. The concerned gynaecologist also admitted that the patient was introduced by the CE. The CE would however deny such assertion.</p> <p>Irrespective of the fact as to whether the patient was introduced by the Gynaecologist or the patient reached the CE directly, wrong recording by the RMO engaged by the CE, would be the responsibility of the CE and CE must compensate the patient.</p> <p>We award a compensation of Rs. 2,00,000/- to be paid</p> |
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to the complainant.

We permit the CE to pay the said sum by four equal monthly instalments commencing from 31st January 2024 and thereafter on the last day of the each succeeding month.

In case of default of payment of anyone instalment the amount then due, would become payable together with interest at the rate of 7 percent per annum until realisation.

We abundantly make it clear, the compensation of Rs. 2,00,000/- would not debar the complainant to approach the Medical Council as per the liberty granted by us.

The complainant is directed to share her bank details with the CE so that money could be refunded to her by bank transfer.

The complaint is disposed of accordingly.

Sd/-

The Hon'ble Chairperson



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| | | | <p>Sd/-</p> <p>Prof. (Dr.) Sukumar Mukherjee – Member</p> <p>Sd/-</p> <p>Prof. (Dr.) Makhan Lal Saha – Member</p> <p>Sd/-</p> <p>Dr. Maitrayee Banerjee – Member</p> <p>Sd/-</p> <p>Sri. Sutirtha Bhattacharya, IAS (Retd)- Member</p> <p>Sd/-</p> <p>Smt Madhabi Das – Member</p> <p><i>Authenticated</i></p> <p><i>[Signature]</i></p> <p>Secretary West Bengal Clinical Establishment Regulatory Commission</p> |
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