

Case Reference: INT/WMID/2024/042

Ms. Sneha Gope..... Complainants

vs

Roy Nursing Home, West Midnapore.....Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	05/03/2024	<p>The complaint would relate to medical negligence.</p> <p>The patient aged about 52 years, was suffering from cirrhosis as we find from the post-mortem report.</p> <p>The concerned physician is not available to assist us.</p> <p>So is the case of RMO.</p> <p>The complainant would contend, they were kept completely at the dark by the concerned doctor as well as the nursing home.</p> <p>On the fateful day when they were preparing for taking the patient to higher set-up the complainant, while visiting the patient at about 5 a.m., found him in a complete disoriented state having the ryles tube removed.</p> <p>According to her, the RMO was not found. The</p>

		<p>technician was also not found who could re-fix the ryles tubes. The nursing staff present there, did not actively take any step for replacement of the ryles tube. The complainant would doubt whether those nursing staff would have proper qualification and expertise to tackle such critical patient.</p> <p>We have heard the CE. Mr. Rakesh Bakshi, the manager of the Nursing Home, is present online. According to him, soon after the incident, Dr. Debjit Roy, the concerned RMO, resigned and his present whereabouts are not known to them.</p> <p>The concerned nursing staff have also been brought online. They would deny the assertion made by the complainant. According to them, they already cautioned the patient family that they should be present at the nursing home at night because of the critical state of the patient. However, no one was there when the patient became disoriented and removed the ryles tube. They tried to inform the concerned physician over phone. The concerned doctor did not pick-up the phone.</p>
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		<p>The complainant would contend, the concerned physician came late in the morning when everything went beyond control.</p> <p>Unfortunately the patient died. Our esteemed members have verified the medical records. They would doubt whether proper treatment was given or not at the critical stage of the patient. However, this is our prima facie view. The complainant would be free to approach the appropriate authority questioning the treatment protocol.</p> <p>On the hospital negligence, we wish to penalize the nursing home by imposing a penalty of Rs. 50,000/- to be paid to the complainant on sharing of her bank details.</p> <p>This amount of penalty would however, not debar the complainant to approach us afresh in case they are successful before the West Bengal Medical Council.</p> <p>Before we part with, we direct the CMOH, Paschim Medinipur to make a thorough investigation, not only of this particular case but also the regular functioning of the nursing home and submit a detailed</p>
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		<p>report to us after taking steps to take care of the deficiency, if any founds during investigation.</p> <p>We also find, the complainant lodged an FIR with police authority. We hope and trust, the police authority would bring it to a logical conclusion.</p> <p>The complainant would also be at liberty to ask for legible copy of the medical records or any part thereof, if not already received by her.</p> <p>The complaint is disposed of accordingly.</p> <p>Sd/- The Hon'ble Chairperson</p> <p>Sd/- Prof. (Dr.) Sukumar Mukherjee – Member</p> <p>Sd/- Prof. (Dr.) Makhan Lal Saha – Member</p> <p>Sd/- Sri. Sutirtha Bhattacharya, IAS (Retd)- Member</p> <p>Sd/- Dr.Maitrayee Banerjee – Member</p> <p>Sd/- Smt Madhabi Das – Member</p>
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Authenticated

 Secretary
 West Bengal Clinical Establishment
 Regulatory Commission

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