

Case Reference: INT/KOL/2023/144

Mr. Manjit Kumar Singh Complainant

vs

B M Birla Heart Research Centre..... Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	2.	13/05/2024	<p>The complaint was heard by us on September 13, 2023 when we disposed of the complaint by permitting the complainant to approach the West Bengal Medical Council with further liberty to come back to us on hospital negligence that would be overlapping medical negligence, if any, in case he is successful.</p> <p>After passing of the order, the complainant filed an application for review before us by contending that he had no grievance as against the treating doctor. Hence, we should take up the hospital negligence independent of medical negligence. We have thus fixed the matter for review today.</p> <p>In the earlier order dated September 13, 2023 we made an observation that BHT did not record status of the</p>

patient from 6 p.m. to 12.58 a.m. when the patient became critical and Code Blue was declared.

After service of the review application, the CE has provided us other medical records including Nursing Assessment Register, Medicine Chart, Pressure Chart and other related documents wherefrom we find that upto 10 p.m. the patient was stable when the nursing staff administered injection as per the prescription as noted in the Nursing Register. Grey area period has thus shortened.

Our esteemed member Dr M.L. Saha has interaction with the complainant. According to Dr Saha, from the history of the patient status it would appear that the patient was critically ill and treated at the ICU. After becoming stable he came to general ward where the unfortunate incident occurred. This could not be termed as unusual unless and until there is any definite proof on the issue. Pertinent to note, the complainant did not go for postmortem examination.

Considering the circumstances as aforesaid, we do not find any scope to interfere on the issue of hospital

negligence.

The review application is thus 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

MZ
Secretary
West Bengal Clinical Establishment
Regulatory Commission

AP