

Case Reference: WBCERC/SOU/16/2024-25

Mr. Taposh Kumar Das Complainant

vs

Belle Vue Clinic..... Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	13/06/2024	<p>The complaint would relate to medical negligence as submitted by Mr. Tirthankar Das, Learned Advocate appearing for the complainant.</p> <p>He would rely upon Apex Court decision in the case of <u>Bhim Singh- Union of India</u> reported in SCC Online 2014 SC page 636 where, according to him, the Apex Court observed, any medical negligence alleged as against any Licensee enjoying licence under the appropriate laws of the land to treat a patient, must be dealt with by the appropriate authority granting such license.</p> <p>We do not find any such observation in the case cited. It would relate to fast tracking of criminal cases and does not pertain to medical negligence.</p>

Mr. Das is candid enough to submit, he has no complaint as against Belle Vue it would where his father was treated. His complaint is as against the concerned Cardio Thoracic Surgeon involved in the treatment. Such negligence, if any, in our view, would be squarely outside our purview.

He would be at liberty to approach appropriate authority questioning the treatment protocol if he is so advised.

With this observation we dispose of the complaint.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Prof. (Dr.) Makhan Lal Saha – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Smt Madhabi Das – Member

Authenticate
Mr. J. L.
Secretary
West Bengal Clinical Establishment
Regulatory Commission

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