

Office of the West Bengal Clinical Establishment Regulatory Commission  
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**Case Reference: WBCERC/HOO/22/2024-25**

Mr. Sourav Chakraborty ..... Complainant

vs

Care Concern Hospital Pvt. Ltd..... Respondent/ Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	13/06/2024	<p>The complaint would relate to surgical complication that ultimately resulted in unfortunate death of a young boy of a 14 years old.</p> <p>The patient had been under care of a different Clinical Establishment for about three days wherefrom he was transferred to Care Concern Hospital, the CE above named. The concerned surgeon, upon clinical examination, felt immediate need of surgery as according to him it was a case of ruptured Appendicitis. However, when the OT was done the concerned surgeon found his diagnosis wrong as the Appendix had not been found, being ruptured. Ultimately, in the postmortem examination it was found that the patient had</p>

diaphragmatic hernia where abdominal viscera has gone into the chest.

It was a congenital condition and very rare, according to Dr M.L. Saha our esteemed member, that could not be detected by the concerned surgeon even at the time of surgery.

Dr. Saha is of the opinion that had there been a chest Xray done before the surgery or a CT Scan, the treatment protocol could have been otherwise. However, this question would be clearly outside our domain.

We refer the issue to the West Bengal Medical Council and request them to find out as to whether there had been any medical negligence on the part of the treating team.

We grant liberty to the complainant to approach us afresh after the proceeding is over before the Medical Council in case occasion so arises.

The complaint is disposed of accordingly.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

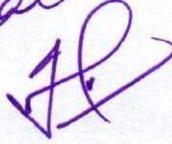
Prof. (Dr.) Makhan Lal Saha – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Smt Madhabi Das – Member

*Authenticated*  


**Secretary**  
**West Bengal Clinical Establishment**  
**Regulatory Commission**