

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference:WBCERC/KOL/55/2024-25

Mr. Soumik Raha Complainant

vs

Manipal (AMRI), Salt Lake.....Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	25/07/2024	<p>76 years old female patient was admitted at Manipal Broadway (formerly known as AMRI Salt Lake) on May 30, 2024 with various co-morbidities. After treatment, she was planned for discharge for June 11, 2024. Unfortunately, in the morning of June 10, 2024, just a day before her discharge, the patient wanted to attend the nature's call and asked for a commode chair by the side of her bed. The housekeeping staff brought the commode chair and placed it by her side. However, while getting down from the bed to sit on the commode chair lady fell down and had injury.</p> <p>Initially, she was conscious however, within few hours she became critical. CT Scan was done that</p>

		<p>suggested Hematoma. She was subsequently put on ventilation and ultimately she breathed her last on June 17, 2024.</p> <p>Post mortem report would suggest internal hemorrhage caused by the brain injury. Hence, this complaint by her son Shri Soumik Raha.</p> <p>CE has given their response. According to them, soon after the commode chair had been placed while the house keeping staff was drawing the curtain the patient herself tried to get down from the bed and had a fall resulting in her collapse on a sitting posture.</p> <p>According to the CE, she was immediately attended by the nursing staff as well as other paramedical staff. She was all right and was totally conscious. To support their contentions they relied on an audio visual clippings where she was seen admitting her fault by attempting of her own to get down from the bed. According to the CE, almost after two hours of the incident she had a cerebral attack and that caused her severe hematoma and after a</p>
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		<p>prolonged treatment she breathed her last. The cause of death had no relation with the injury that the patient had suffered due to fall.</p> <p>The relevant paragraph of the response is quoted below:-</p> <p><i>“Incident on 10th June 2024</i></p> <p><i>At 06:30 AM on 10th June 2024, Mrs. Raha experienced a fall from her hospital bed while attempting to access a commode chair independently. Hospital staff attended to her immediately. Post-fall examination revealed BP=130/70, Pulse = 83, SPO2= 98%, with the patient conscious, oriented, and showing normal pupillary reactions. She complained of pain in the back of her skull, but no scalp injury or bleeding was noted. Mrs. Raha received intravenous paracetamol (PCM) 1 gram for pain relief. Her condition was stable at this point, and the attending consultant promptly informed her relatives at 09:30 AM.</i></p> <p><i>Progression of Condition</i></p>
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		<p>However, at 09:50 AM, Mrs. Raha's blood pressure increased to BP=160/90, Pulse=87, SPO2=96%. She was administered Stamlo 5 mg stat to manage hypertension. By 11:00 Am, she had vomited twice, with BP=140/90, Pulse=47, SPO2=96%. Examination revealed that her right pupil was sluggishly responding to light, while the left pupil was dilated and non-reactive. A neurologist was consulted, and a CT scan of the brain was advised, which showed a subdural hematoma along the left cerebral convexity with hemorrhage in the interhemispheric fissure, causing significant mass effect. There was also minimal subdural hematoma noted in the right frontal region. Consultants informed Mrs. Raha's son about her deteriorating condition at 12:01 PM, following which she was promptly transferred to the Neuro Intensive Care Unit (Neuro ITU) at 12:36 PM, with a Glasgow Coma Scale (GCS) of E1 V2M2. "</p> <p>We heard this complaint on July 25, 2024. At the hearing, the complainant was present online along with his wife, widowed sister and brother. They would</p>
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		<p>contend, the fall was due to the latches on the part of the CE that resulted death of the patient who was the sole breadwinner of the family.</p>
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Pertinent to note, the lady was enjoying widow pension of Rs. 13,000/- from ESI Corporation. The complainant lost his job during covid. The family had a set back when the complainant's sister lost her husband and joined the family having no other means of livelihood.

The complainant would ask for appropriate compensation.

Dr. Biswanath Mitra, represents the CE. According to him, the incident was really unfortunate however, the CE has taken all steps after the incident. He would also heavily rely on the declaration made by the patient herself in the audio-visual clippings, referred to above, admitting that she herself was responsible for the fall. Hence, CE should not be blamed for the incident. However, in deference to the desire of the Commission, Dr Mitra

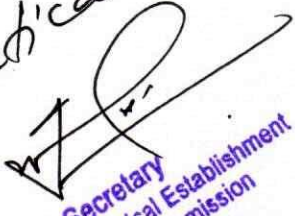
		<p>wanted to consider the prayer for compensation and prayed for some time so that he could talk to the higher management.</p>
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Accordingly, we kept the judgement reserved to enable the CE to take a call on the issue. Subsequently, Ms. Kakali Mukherjee, Unit Head, on instruction from the higher management, has offered Rs. 10,00,000/- as lump sum compensation to the bereaved family.

In view of such offer, we do not wish to proceed further in the matter and dispose of the matter by directing the CE to pay Rs. 10,00,000/- to Shri Soumik Raha, the complainant above named.

Mr. Raha is directed to share his bank details with Ms Mukherjee so that money could be transferred to him at once.

We understand, a criminal case is pending before the appropriate court of law. The parties would be free to approach appropriate court of law to have disposal of the same in view of resolution of the issue as above.

			<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/- Dr.Maitrayee Banerjee – Member</p> <p>Sd/- Smt Madhabi Das – Member</p> <p><i>Authenticated</i>  Secretary West Bengal Clinical Establishment Regulatory Commission</p>
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