

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference: WBCERC/NOR/104/2024-25, WBCERC/NOR/105/2024-25, WBCERC/NOR/106/2024-25, WBCERC/NOR/107/2024-25

Mr. Subrata Kumar Gupta & Jitendra Kumar Gupta Complainant

VS

Desun Hospital, Kothari Medical Centre, Ruby General Hospital.....Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	29/08/2024	<p>The complaint would relate to treatment protocol in a case of a 73 years old female patient having diverseco-morbidities.</p> <p>The patient had three admissions at Desun, one at Ruby and seven admissions at Kothari. The patient ultimately died at Desun on August 10, 2023.</p> <p>The complainant hasnow come up with a composite complaint against all the three establishments.</p> <p>We have heard the complainant in detail. We have also heard the hospitals involved herein.</p> <p>Principal issue would relate to treatment protocol</p>

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that would be outside our domain.

We understand, the complainants have already approached the West Bengal Medical Council against the treating doctors.

Let the complaint on medical negligence be brought to a logical conclusion before the appropriate forum. In case the complainants get a favourable response in the other proceeding they would be at liberty to approach us afresh for appropriate compensation.

The complainants would also complaint about non furnishing of the medical records. Such complaint is however, denied by the hospitals present online.

We permit the complainants to write to the hospitals giving details of the records that they would need for Medical Council proceedings. The Hospitals would be bound to share the same.

The representative of Desun, would submit, since the patient was under CGHS category the medical records are to be sent to the Central Government for sanctioning

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of the bill.

We are not impressed.

The hospital must have copy of the medical records.
Let them share a complete set of copy medical records
as and when asked by the complainants.

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

[Signature]
Secretary
West Bengal Clinical Establishment
Regulatory Commission

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