

Office of the West Bengal Clinical Establishment Regulatory Commission  
1<sup>st</sup> Floor, 32 B.B.D Bag, West Bengal, Kolkata – 700001.  
Phone:- (033) 2262-8447 , Email: [wbcerc@wb.gov.in](mailto:wbcerc@wb.gov.in) Website: [www.wbcerc.gov.in](http://www.wbcerc.gov.in)

**Case Reference: INT/KOL/2024/122**

Ms. Anita Paul ..... **Complainant**

**VS**

Remedy Hospital, Garia.....**Respondent/ Respondents**

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	29/08/2024	<p>The complaint would relate to wrong treatment resulting in post surgical complication. The patient is still immobile and is under home care.</p> <p>The patient had pain abdomen. On the advice of the Gastroenterologist, he was admitted at the CE on June 5, 2024. Colonoscopy was done on June 9, 2024 by a doctor provided by the CE. The Colonoscopy Report suggested some growth (polyps) in the colon and it was in a very bad shape. The concerned doctor could not proceed further in Endoscopy due to blockage.</p> <p>Considering the report, the patient was referred to One Surgeon on June 10, 2024.</p>







While doing Laparotomy, the concerned surgeon did not find any such growth and closed the surgery and shifted the patient to ICU.

The patient had severe complication after surgery. He is now in home care, still now undergoing treatment.

Our esteemed medical members are of the view, it was a case of error of judgment either on the part of the sonologist or the surgeon however, this would be outside our domain and the complainant would free to approach the appropriate forum.

However, on examination of the records, we find gross hospital irregularities.

The patient was admitted under a mediclaim policy. Since the first one got exhausted he was shown as re-admitted under a different policy.

In the first case, gross bill was Rs. 2,11,531/-. TPA sanctioned Rs.1,73,426/- and after discount, the complainant paid Rs. 16,952/-. During second admission, the gross bill was Rs. 4,11,677/- where the TPA



sanctioned Rs. 3,53,015/-. The balance amount was totally discounted.

The CE would contend, they have to check their records. It might be, they have received the first amount from the insurance however, they are yet to get the second one.

In our view, once the OT was closed as the operation did not proceed as per plan the CE should not have made a claim for the surgery before the TPA.

The first admission would relate to pre-operative period hence, we do not wish to interfere on that score.

The second bill is pending as the representative of the CE would inform us.

Let them withdraw the bill from the TPA.

In case, they have already received the money against the second bill they must refund the amount to the insurance to the credit of the patient.

This order would however not preclude the





complainant to approach the appropriate forum as per liberty granted by us herein.

The complaint is disposed 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