

Office of the West Bengal Clinical Establishment Regulatory Commission

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**Case Reference: WBCERC/NOR/94/2024-25**

Mr. Sajal Roy & Partha Roy ..... **Complainant**

**VS**

Heartland Hospital.....Respondent/ Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	22/08/2024	<p>The complaint would relate to medical negligence as well as hospital negligence.</p> <p>74 year old female patient was taken to R.G. Kar Medical College with a complaint of cerebral attack. Since there was no vacancy, with the intervention of a middleman Shri S.K. Asgar (Ph No. 9874159139) the patient was admitted at Heartland Hospital, Jassore Road, Madhyamgram, Kolkata.</p> <p>The patient was admitted under Dr. Tanmoy Saha and Dr. Akash Majumder.</p> <p>Dr Tanmoy Saha is MBBS and general practitioner and Dr. Akash Majumder is a post graduate student in</p>



		<p>MD physiology in K.P.C Medical College. He is also in Medical Administration Service and working as BMOH. Dr. Majumder would however, contend, after getting chance to study MD Physiology he discontinued his service however, there is no evidence to the said effect.</p> <p>The Heart-Land Hospital is run by a private limited company. One of the directors was the wife of Dr. Majumder, Smt Labanya Rani Paul. The hospital has displayed list of facilities available thereat that would include neuro medicine.</p> <p>The complainants would contend, the patient was admitted from March 25, 2024 until her expiry on April 1, 2024. Except Dr. Majumder and Dr. Saha no doctor was available.</p> <p>The CE would however contend, the patient was seen by Dr. Susangata Chowdhury and Dr. Santanu Ghosh, both neuro surgeon. Dr. Majumder would contend, on April 1 2024, the patient was discharged on DORB and died subsequently but not at the CE.</p>
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			<p>Our esteemed medical members including Dr. Sukumar Mukherjee and Dr. M.L. Saha are unanimous of the view, it was a case of complete negligence on the part of the CE. CE lacked infrastructure to treat a cerebral attack patient. No neurologist examined the patient.</p>
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The method of treatment is questionable however, it is outside our domain.

The complainants would be free to approach the appropriate authority for the same.

However we intend to refer the issue to the CMOH, 24 Pgs (North) to have a thorough inspection of the CE to find out whether the CE is well equipped particularly with the services to treat a patient giving services that were listed at the CE and displayed at the reception lobby of the hospital.

The CMOH 24 Pgs (North) would also examine the issue whether Dr. Majumder was competent to treat a patient in a private establishment during the period when the patient had been undergoing treatment thereat.





In case the complainants are successful before the appropriate authority on the medical negligence they would be at liberty to approach us afresh.

The complaint is disposed of.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Prof. (Dr.) Makhan Lal Saha – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Sri. Sutirtha Bhattacharya, IAS (Retd)- Member

Sd/-

Smt Madhabi Das – Member

*Authenticated*  
*[Signature]*

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