

Office of the West Bengal Clinical Establishment Regulatory Commission  
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**Case Reference:WBCERC/NAD/157/2024-25**

Mr. Pritam Biswas ..... Complainant

VS

Pashupatinath Hospital.....Respondent/ Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	06/11/2024	<p>The complaint would relate to unfortunate death of a 68 years old male patient. The patient had haemorrhage as also other co-morbidities including CKD.</p> <p>The patient was under care of Fortis hospital from August 24, 2024 to September 12, 2024 when he was released under LAMA and admitted at Kalyani Pashupatinath Hospital.</p> <p>The patient was admitted at ICU as cash patient.</p> <p>The complainant would however, contend, they wanted to have admission under Swasthya Sathi that was denied. Dr. Bhargov Roy representing the CE, would however, deny such assertion.</p>



According to Dr. Roy, the patient was critically ill and came with LAMA. He was treated at the ICU. The patient responded to their treatment and became stable when he was advised to be shifted to general bed. At that juncture, on the request of the complainant, the patient was notionally discharged and readmitted under Swasthya Sathi in a twin sharing cabin.

Dr. Roy would also assert, since when the patient was under care as a Swasthya Sathi patient no amount was taken from the complainant.

The complainant would submit, they had to purchase medicine to the extent of Rs. 11,000/-after the patient had been shifted from ICU.

The complainant would also contend, in between ICU and twin sharing cabin the patient was kept without any treatment for about two days at the fifth floor in most unhygienic condition.

In short, the patient was admitted on August 24, 2024 and got discharged under LAMA on September 20, 2024.



He was transferred to twin sharing cabin from September 20, 2024 to October 2, 2024 when he breathed his last.

The patient had various co-morbidities. Yet, we cannot brush aside negligence on the part of the CE that would surface from the allegations made by the complainant and his brother during hearing.

Dr. Roy would strenuously contend, they did not charge any additional amount during Swasthya Sathi admission.

The complainant would show us documents wherefrom they would try to establish, medicine to the extent of Rs. 11,000/- were purchased by them directly upon payment. Moreover, medicine to the extent of Rs. 2,500/- supplied by the hospital was also reimbursed by their mother in cash for which he does not have any receipt.

Our esteemed medical member Dr. Sukumar Mukherjee has interaction with Dr. Roy who treated the patient.

From the medical records it appears, although the patient had haemorrhagic shock during the period when the patient was undergoing treatment for about 20 days no neurologist examined the patient.

Dr. Roy, would submit, being a doctor from medicine stream, he was competent enough to tackle the situation.

We feel, interest of justice would be sub-served, if the medical issues are resolved by the appropriate authority in case the complainant would approach them.

In case the complainant approaches the appropriate authority questioning the treatment protocol and they are successful therein they would be at liberty to approach us afresh regarding hospital negligence.

The complaint is disposed of accordingly.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sh

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Sd/-

Prof. (Dr.) Makhan Lal Saha – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Smt Madhabi Das – Member

*Authentic*

Secretary  
West Bengal Clinical Establishment  
Regulatory Commission