

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference:INT/KOL/2024/140

Ms. Saswati Sarkar **Complainant**

VS

Lions Kankurgachi Hospital Pain Relief Clinic.....**Respondent/**
Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	29/11/2024	<p>The complainant got her husband treated at the clinic under Dr Sudhir Kumar, Neurologist. The procedure was had supposedly for reducing the pain. The patient has uncontrolled diabetics. Continued treatment for oil therapy resulted in severe burn injury to the patient's feet and some of his fingers had to be imputed. However, continued treatment at various places including outside the State has made the patient now stable.</p> <p>The CE is trying to shirk their responsibility by contending, they do not have any responsibility as to the treatment that the patient had. It is a philanthropic institution providing medical service to the downtrodden</p>

		<p>and middle class people at “no loss no profit” basis. The concerned neurologist was extended free logistic facility at the CE and he was given free hand to treat the patients coming to him at the clinic.</p> <p>After the incident, then administrator CE held a meeting with patient and the concerned Doctor. However no fruitful purpose could be had. Ultimately, the CE withdrew the facility that they extended to the doctor. The Doctor is at present not connected with the establishment.</p> <p>Our esteemed member Dr Sukumar Mukherjee has interaction with the complainant. He has also evaluated the medical records. According to him, once the treatment went wrong, to avoid further damage therapy should have been stopped much earlier and steps should have been taken immediately to cure the patient. The concerned doctor did not proceed accordingly. As a result, the patient had to suffer immense sufferings resulting amputation of fingers.</p>
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The patients visiting at the hospital, might not be in the know of any private arrangements that the clinic was having with the treating physician. Hence, damage done due to wrong treatment would attract appropriate monetary relief that the clinic cannot avoid.

Considering the fact that it is a philanthropic institution, we impose a token penalty of Rs. 1,00,000/-.

Mr. Yagnick representing the CE, would pray for some respite.

We permit them to pay it off in 10 equal monthly instalments commencing from December 15, 2024 and thereafter on the 15th day of each succeeding month.

The complainant is directed to share her bank details with the CE so that money could be sent to her



directly in her account.

In default of payment of anyone instalment, the balance sum then remaining due, would immediately become payable along with interest at the rate of 6 percent per annum.

The complaint is disposed of accordingly.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Dr.Maitrayee Banerjee – Member

Sd/-

SmtMadhabi Das – Member

Authenticated

[Signature]
Secretary
West Bengal Clinical Establishment
Regulatory Commission