

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: **WBCERC/KOL/210/2024-25**

Mr. Adv. Binay K. Bhattacharyya..... Complainant

vs

CMRI.....Respondent/ Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	26/12/2024	<p>The complaint would relate to mis-behaviour of the front desk staff in a case of OPD consultation. The complainant got an appointment for his daughter's OPD consultation from Dr. Madhumita Bhattacharyya at CMRI Hospital that was fixed on November 21, 2024 at 3.10 pm as "confirmed". According to Mr. Bhattacharyya, at about 11.46 am on November 27, 2024 he got confirmed appointment for November 29, 2024 at 3.10 pm. Accordingly, he took his daughter at CMRI OPD when he was asked to wait as the doctor was busy with other patient. As there had been considerable delay when he wanted to enquired why he was not being called even after expiry of the stipulated time. The front desk</p>

		<p>people mis-behaved and there had been heated exchange of words that resulted in a cancellation of the appointment at 4.20 pm. However, in course of conversation he came to know, his daughter was scheduled at serial no 21 and the doctor was to see her after examination of five / six patients who were in the queue before Bipasha. The CMRI ultimately cancelled the appointment and refunded the sum, hence, this complaint.</p> <p>We received this complaint on December 9, 2024 from Mr. Bhattacharyya, who claimed Rs. 10,00,000/- as compensation for his mental suffering and financial (professional) loss; Rs. 10,00,000/- for his daughter's indescribable mental and physical sufferings; and Rs. 50,000/- as compensate for the loss incurred due to failed ongoing treatment of his daughter; and another Rs. 50,000/- for pursuing this litigation aggregating to Rs. 21,00,000/-. At the hearing Mr. Bhattacharyya, in his usual fairness would submit, it was a typographical mistake he wanted to a claim of Rs. 3,00,000/- , being</p>
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		<p>Rs. 1,00,000/-, Rs. 1,00,000/-, Rs. 50,000/- and Rs. 50,000/- aggregating to Rs. 3,00,000/-. Meaning thereby the first two amount was wrongly type Rs. 10,00,000/- instead of Rs. 1,00,000/- each.</p> <p>The CE has responded to the complaint. According to the reply, they would admit, the patient had to wait as the concerned doctor was busy with other patient they were in the queue before Bipasha. At the hearing Dr. MadhumitaBhattacharyya, a senior doctor is present online. She would also submit, that she was busy with other patient and it is not possible for a doctor to see a patient at a particular given time as there could not be any pre estimation as to what time a patient would need during examination. Dr. Bhattacharyya would also inform us, after coming to know, about the hue and cry out side she called the executive and ultimately assured that all patients listed for OPD consultation on that day would be examined by her and assured that Bipasha would also be seen. However, Mr. Bhattacharyya, did not want to wait any more and as such the appointment was cancelled.</p>
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		<p>Ms. Sumana, CMRI executive is also present online. She would submit, after receipt of the complaint she personally called Mr. Bhattacharyya and assured Bipasha that would be given a prior appointment and she would personally see to it that she would be examined by Dr. Bhattacharyya at a given time. However, the complainant did not opt for the same. We have considered the issue while we appreciate the mental agony of the complainant particularly after having a scheduled appointment had to wait for indefinite period particularly when he was anxious about the illness of his daughter. At the same time we cannot brush aside what Dr. Bhattacharyya would say a patient cannot be seen within a fixed time as it cannot be pre anticipated how long a doctor would need to examine the patient and advice him or her accordingly. This complaint is a unique case of communication gap and that has resulted because of the staff who was attached in the OPD. We have repeatedly cautioned the CE that they should sensitize the front desk staff including OPD staff how to deal with the patient at</p>
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large and the person accompanied the patients. Ms. Sumana in her usual fairness would also agree there must have been some communication gap in between that has resulted in this situation.

We express our strong displeasure on the issue and direct the CE to send a letter of regret to the complainant and such letter of regret should be delivered to the complainant at his recorded address.

Mr. Bhattacharyya, the complainant would however, insist on financial compensation. We have examined the issue and have elaborately discussed the same. We do not find it is a fit and proper case to give any financial compensation and such claim is not entertained.

The complaint is disposed of accordingly.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member



			<p>Sd/-</p> <p>Prof. (Dr.) MakhanLalSaha – Member</p> <p>Sd/-</p> <p>Sri. Sutirtha Bhattacharya, IAS (Retd)- Member</p> <p>Sd/-</p> <p>SmtMadhabi Das – Member</p> <p><i>Authenticated</i></p> <p><i>[Signature]</i></p> <p>Secretary West Bengal Clinical Establishment Regulatory Commission</p>
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