

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference:WBCERC/DAR-SMP/199/2024-25

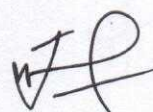
Mr. Mainak Das..... Complainant

vs

Holy Palace Christian HospitalRespondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	06/01/2025	<p>A 79 year old patient having various co-morbidities including Parkinson disease for last 15 years, approached the CE with the history of fever for a considerable period. The patient was on diaper. He was advised to have measurement of the urine output that could not be done because of diaper.</p> <p>The complainant would admit, they requested the CE to put the patient on catheter so that the urine output could be measured. However, there had been injury at the time of change of catheter and bleeding could not be controlled.</p> <p>Patient was immediately shifted to a higher set up</p>



where after about 10 days treatment he breathed his last.

The complainant would contend, urine problem persisted even at the next centre. However, the CE would contend, the next day of his shifting, the patient party informed the CE that the bleeding could be stopped and the patient was fine.

We do not wish to interfere on that score. The factum of injury during catheterization is proved. As a result, the patient had uncontrolled bleeding for which he had to be shifted to a higher setup.

On evaluation of the backdrop, we find, the injury was admitted by the CE in the response. Whether the death had a nexus with the injury or not, is not clear to us. In any event, it would be outside our domain negligence on the part of the CE is however, established.

We impose a penalty of Rs. 1,00,000/- to be paid to the complainant on sharing of his bank details.

CE is a small set up in hilly area having 40 bed



		<p>capacity. We permit them to pay the amount by ten equal monthly instalments.</p> <p>The complaint is disposed of accordingly.</p> <p>Sd/- The Hon'ble Chairperson</p> <p>Sd/- Prof. (Dr.) Sukumar Mukherjee – Member</p> <p>Sd/- Prof. (Dr.) Makhan Lal Saha – Member</p> <p>Sd/- Dr. Maitrayee Banerjee – Member</p> <p>Sd/- Smt Madhabi Das – Member</p> <p><i>Authenticated</i> <i>[Signature]</i></p> <p>Secretary West Bengal Clinical Establishment Regulatory Commission</p>
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