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Office of the West Bengal Clinical Establishment Regulatory Commission
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Case Reference: WBCERC/PURB/231/2024-25

Mr. Bikash Majumdar..... Complainant

vs

Bidhan Chandra Roy Memorial Hospital & Research
Centre..... Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	05/02/2025	<p>The complaint would relate to surgical procedure that resulted in an unfortunate incident of breakage of drill bit and retention of the foreign body within the surgical area that was ultimately removed at a government set-up after about eight months. The patient had to suffer so long.</p> <p>The elderly patient having diabetics and cellulitis, was admitted at the CE for debridement and skin grafting that were done on the first admission between February 10, 2024 to February 20, 2024. Since the condition was such the doctor did not venture for the entire procedure to be done at a time.</p>





		<p>The patient was advised to have second admission that was done on February 26, 2024. During second surgery, the unfortunate incident happened while drilling the bone a part of the machine got broken. Broken part could not be extracted from the body.</p>
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Dr. Mahapatra, the concerned surgeon is present online. According to him, incident was recorded in the OT note and he counselled the patient's family immediately and offered them curative surgery at a later stage. However, the patient did not turn up.

His statement is belied by the discharge summary where there was no mention of the unfortunate incident or the alleged counselling referred to above.

The treating doctor as well as the hospital are equally responsible for the same and the hospital cannot avoid their responsibility. In the response, the CE in paragraph nine admitted the incident. The relevant are extracted below:

"It will not be out of the place to state that unfortunately



		<p><i>at the time of drilling, one of the drill bit broke and a small piece got stuck inside the Bone and could not be retrieved at that time. In this regard, it is also to state that this type of incident never ever happened in our hospital before. Even Dr. S. Mahapatra said verbally told the patient's family about having after the operation."</i></p> <p>For two admissions the patient had to pay Rs. 1.5 lakhs.</p> <p>We direct refund of the entire amount of the said sum along with compensation for the equal amount aggregating to Rs. 3,00,000/-.</p> <p>The CE would pray for some time to pay it off.</p> <p>We grant four equal monthly instalments commencing from March 1, 2025 andthereafter on the first day of eachsucceeding month to pay it off.</p> <p>In case of default of payment of anyone instalment, the amount then remaining due, would carry interest @ 7</p>
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			<p>percent per annum until realisation.</p> <p>The complainant is directed to share his bank details so that money could be transferred to him directly.</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></p> <p><i>[Signature]</i></p> <p>Secretary West Bengal Clinical Establishment Regulatory Commission</p>
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