

**Case Reference:WBCERC/KOL/240/2024-25**

Mr. Ujjwal Sen..... Complainant

vs

Desun Hospital.....Respondent/ Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	27/02/2025	<p>This complaint would relate to very unfortunate situation in which a lady died out of burn injury, allegedly without any treatment due to paucity of financial resource.</p> <p>On January 12, 2025 the patient was admitted at Desun. The complainant would contend, an estimate of Rs. One lakh per month was given to him that he was unable to bare. He repeatedly asked for DAMA that was not allowed. Ultimately, he was successful in signing DAMA form on January 20, 2025. However, the patient was not discharged on that day and kept for another five days as hostage for non-payment of the dues.</p> <p>From our records we find, on January 24, 2025 at</p>

*Handwritten mark*

*Handwritten signature*

11:23 am the complainant approached Desun for appropriate discount and release of the patient. On the same day at 1:06 pm a reminder was sent to Desun and for the first time a copy was endorsed to us.

We requested Desun to consider his prayer that would appear from our mail dated on January 31, 2025.

By that time, the patient was released on January 25, 2025 and was shifted to MR Bangur Medical College and Hospital where she breathed her last.

On February 02, 2025 the complainant filed a formal complaint to us for taking appropriate steps against Desun as well as against the treating doctors named in the complaint.

Desun initially reacted to our mail dated January 31, 2025 and sent a reply dated February 4, 2025 at 2:55 pm forwarding one page summary bill, photocopy of the post-dated cheque of Rs.1 lakh signed by the complainant and photocopy of the DAMA that had been signed by the mother of the patient.



On receipt of the formal complaint we sent a notice to Desun on February 17, 2025 with a request to give us a response forwarding a copy thereof to the complainant.

Needless to mention, we also ask for necessary medical records and the bill in the notice of hearing that was not adhered to. As on date we have neither received any further mail from Desun nor any break-up bill.

The complainant is present on line. According to him, since CE was charging quite high amount the family wanted to shift her somewhere else and requested Desun to release the patient. Despite request being made and despite DORB form duly signed by the mother of the patient on January 20, 2025, the patient was not released for at least five days due to non-payment of dues.

Even the response to our earlier mail dated Feb 4, 2025 was not shared with the complainant.

From the said response, we find that the total bill raised was Rs. 6,81,958/- out of which a sum of Rs. 1,46,630/- has been discounted. The complainant paid



Rs. 4.22 lakhs and a post-dated cheque of Rs. 1,00,000/-.

Dr Sen , representing the CE, would submit, mistakenly they have not given any response in reply to our notice dated February 22, 2024. They have also not shared a copy of their mail dated February 4, 2025 with the complainant as they did not find it necessary. The copy of the break-up bill is admittedly not shared with us till we hear this complaint.

Dr. Sen would submit, copy of the detailed bill has been given to the complainant at the time of release of the patient. The complainant would however, strenuously deny such assertion.

When a patient is admitted at the CE it is their primary duty to treat the patient. If there is any difficulty in realisation of their cost they should follow the appropriate procedure including contacting the Commission. They have not done so. Once the patient wanted discharge and admittedly signed DORB form on January 20, 2025 the Desun could not have kept the

patient for five days.

Dr Sen would try to justify, the complainant could not be found. Hence, the patient could not be discharged.

We refuse to believe. We did not get any such information contemporaneously from Desun between January 20 to January 25, 2025.

The complainant would contend, he wanted to have the medicine purchased from outside to minimise the cost that was not allowed.

It is known to everyone, the medicine is easily available in the market with at least 20 percent discount. Sizeable amount could have been saved by that process.

As on date, Rs, 1,00,000/- is still due and payable to the CE.

We direct the CE to give a complete re-look to the bill.

The cost must be restricted till January 20, 2025 when the DORB was signed.



Needless to mention, the medicine should be discounted at least, to the extent of 10 percent and consumable @ 20 percent.

Even after revision of the said bill and taking into account the discount already given by the CE if any other amount is due and payable that would be properly informed to the complainant. Till then, the post-dated cheque must not be presented for encashment.

In case there is no shortfall the cheque must be returned to the complainant.

Desun is also directed to share a complete set of medical records along with a detailed break-up revised bill to the complainant for his perusal.

The complainant would be free to approach the appropriate authority against the medical negligence, if there be any.

In case he is successful therein he would be at liberty to approach us afresh.



Before we part with, we would be failing in our duty if we do not take appropriate steps against Desun for their lackadaisical approach.

They regularly appear before us to defend the complaints that are brought against them. They know the procedure that we follow. Formal complaint was sent to them well in advance. By our letter dated February 17, 2025 they were asked to give a response along with all relevant records including bill that have not been shared with us.

We impose a fine of Rs. 5,000/- that Desun must deposit with the Commission at once.

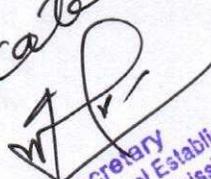
The complaint is disposed of accordingly.

Sd/-  
The Hon'ble Chairperson

Sd/-  
Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-  
Dr. Maitrayee Banerjee – Member

Sd/-  
Smt Madhabi Das – Member

*Authenticated*  
  
Secretary  
West Bengal Clinical Establishment  
Regulatory Commission