

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference:WBCERC/KOL/263/2024-25

Ms. Shalini Ghose Complainant

vs

Ruby Hospital.....Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	26/03/2025	<p>The complaint would relate to hospital negligence as well as refusal to provide medical records.</p> <p>The patient Mr. Asish Kumar Ghose was admitted at Ruby General Hospital. After a prolonged treatment he breathed his last on February 2, 2025.</p> <p>The complainant, being one of the daughters of the patient, applied for medical records by sending a mail on February 6, 2025 that was not adhered to. Reminder mail was also sent.</p>



Ultimately, the hospital provided the medical records on February 28, 2025.

According to the hospital, they have provided all the medical records that the complainant would strenuously deny.

According to the hospital, the patient was admitted from time to time by his other daughters, Ms. Saheli Ghose and Ms. Aheli Ghose as well as his widow Smt. Swapna Ghose. By a letter dated February 20, 2025 Smt. Swapna Ghose requested the hospital not to provide medical records to the complainant.

We have heard the parties being the complainant, hospital as well as the widow of the deceased patient who has no complaint as against the hospital.

The complainant would also raise an issue,

in the medical records the patient was shown to have "apparent fall" about a fortnight before his death.

The hospital would submit, the recording is misinterpreted.

According to the treating doctor, who is present online, the concerned RMO recorded in the BHT that the patient was apparently trying to get down from the bed resulting in an accidental fall. The patient family being the widow and the daughters who were instrumental in admission of the patient, duly gave a clean chit to the CE that would appear from the records.

We have considered the rival contentions. There might be a family dispute that we are not concerned. The complainant is admittedly the daughter of the deceased patient. She has every

right to get the medical records to examine as to whether her father's treatment was done according to the protocol.

The hospital has provided medical records on February 28, 2025. There had been delay in view of the confusion raised by the letter of the ill fated widow of the patient.

We grant liberty to the complainant to write to the CE indicating specifically which records she would be asking for.

On receipt of such requisition, the CE would be obliged to provide the same within a week thereafter.

On receipt of the medical records the complainant would be free to question the treatment protocol before the appropriate authority



if she so likes.

The complaint is disposed of accordingly.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Prof. (Dr.) Makhan Lal Saha – Member

Sd/-

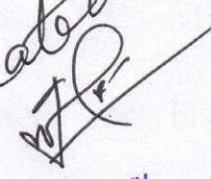
Dr. Maitrayee Banerjee – Member

Sd/-

Sri. Sutirtha Bhattacharya, IAS (Retd)- Member

Sd/-

Smt Madhabi Das – Member

Authenticated

Secretary
West Bengal Clinical Establishment
Regulatory Commission