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Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference: **WBCERC/NOR/33/2025-26**

Mr. Litan Roy..... Complainant

vs

Apollo Multispeciality Hospital.....Respondent/ Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	30/05/2025	<p>The complaint would relate to medical negligence resulting in rapid death of the patient.</p> <p>The patient was admitted on June 16, 2024 in the hospital with the history of loss of consciousness and involuntary movement of both upper and lower limb with uprolling of eyeball since 5 p.m. on that day. He was implanted temporary pacemaker which was replaced by a permanent pacemaker on June 18, 2024, however, there had been rapid deterioration of the condition on 20<sup>th</sup> and the patient ultimately breathed his last on June 21, 2024.</p> <p>The complainant would contend, the patient was clinically well after implant of permanent pacemaker. According to him even on 20<sup>th</sup> night, he took his dinner</p>

by himself.

There had been rapid deterioration resulting in death that we find from the medical records as evaluated by our esteemed medical member Dr. Sukumar Mukherjee.

The complaint would also contend, he was initially handed over death certificate that was signed by him. Subsequently he was given a modified death certificate signed by Dr. Malay Kumar Pal where the cause of death was changed. Since his mental condition was not proper he could not notice the change earlier. Moreover, from the municipal certificate that he received after cremation he came to know that the registration number used against Dr. Malay Kumar Pal as was of somebody else hence, he raised doubt and confronted the CE and ultimately approached to us with the complaint.

Dr. Mukherjee is also not happy with the death certificate. The CE, in their response, would submit, the initial death certificate did not have mention of cardiac



arrest that was subsequently incorporated. The initial death certificate was issued by Dr. Babin Paul whereas the second certificate was issued by Dr. Malay Kumar Pal that too, with a different registration number.

According to the CE, it was a clerical mistake. Dr. Vatia, also representing the CE, would submit, the modified death certificate was issued on the basis of the medical records and the clinical observation of the treating team.

There had been misbehaviour by the treating team soon after death that the CE denied in their response. It would be difficult for us to decide on the issue without any proper evidence.

The complainant would also allege fabrication of the medical records that also sounds logic in case of death certificate.

Dr. Mukherjee is of the opinion, even the modified death certificate would raise question as to the actual cause of death.



This case could have been resolved had there been a post-mortem done. The CE would contend, they offered post-mortem however, the complainant did not agree. Mr.Litan Roy, the complainant, would strenuously dispute such contention. According to him, post-mortem was not offered to him. His mental condition was such he could not take a decision on the said issue at the appropriate time.

We permit the complainant to approach the West Bengal Medical Council questioning the treatment protocol and the cause of death.

In case the West Bengal Medical Council finds any negligence and holds as against the treating team the complainant would free to approach us afresh for appropriate relief.

Ms Yosodhara Ghosh, representing the CE, would submit,since the medical bill is outstanding they want to escalate the issue before the appropriate forum. We do not make any comment on the same.



The complaint is disposed of accordingly.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

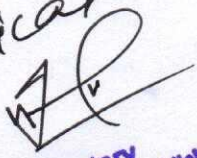
Prof. (Dr.) Makhan Lal Saha – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Smt Madhabi Das – Member

*Authenticated*  
  
Secretary  
West Bengal Clinical Establishment  
Regulatory Commission

*SK*