

Office of the West Bengal Clinical Establishment Regulatory Commission

1st Floor, 32 B.B.D Bag, West Bengal, Kolkata – 700001.

Phone:- (033) 2262-8447 , Email: wbcerc@wb.gov.in Website: www.wbcerc.gov.in

Case Reference:WBCERC/MAL/45/2025-26

Mr.Raju Baul Complainant

vs

B M Birla Hospital.....Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	30/05/2025	<p>The complaint would relate to refund of money that is said to have been paid to the concerned doctor Dr. Samajit Samadar.</p> <p>The patient Kiyanshu Baul was seen by Dr. Samadarat his clinic when he was advised to undergo CT Angio. The patient was admitted at B. M. Birla under Sishu Saathi Scheme. CT Angio was done and patient was discharged in stable condition. The complainant, the father of the child would contend, the boy died in transit.</p> <p>After the death of the patient, he contacted</p>





the concerned doctor and asked for refund of money as the patient did not have surgery for which the money had been paid. The doctor denied to have received any such amount hence, this complaint.

At the hearing, the complainant would contend, the doctor is regularly coming at Sono Scan Malda for OPD clinic where he contacted him. The patient was examined and advised for CT Angio. The complainant was told that the patient would need surgery for which a sum of Rs. 50,000/- was demanded. The money was paid to the doctor at NRS medical college where he is also attached.

The complainant would further contend, that after he filed this complaint with the Commission the CE called him at Calcutta for consultation and sent Rs. 1,200/- for his travelling allowance.



The complainant would question, if the doctor had not received any money why the hospital would voluntarily send Rs. 1,200/- for his travel to Kolkata .

Dr. Raj representing the CE, would clarify the issue. According to him, since the complainant was sending regular whatsapp on the issue they wanted to have a proper meeting with him for which they sent the amount for his travel. It was a gesture shown by them and not for any other reason.

Dr. Samadar would strenuously deny to have received any amount from the complainant.

The complainant would also contend, when the patient was discharged he requested the hospital authority to continue his treatment as he was unwell. The hospital however, did not accede to

such request and released him and the patient died in transit. According to him, had the patient not been released and CE continued treatment he could have been saved.

Dr. Raj representing the CE would also clarify, the record would show, the patient died on the next day and not in transit.

We do not wish to go into this controversy as to whether the discharge was rightful or not as this question would pertain to medical issue that would be outside our domain.

The complainant would be free to approach appropriate authority for the same.

On the issue of refund, since the concerned doctor has denied having received any money and the complainant does not have any evidence to



support, we do not wish to interfere on that score.

The complainant would be free to approach appropriate forum in accordance of law for the same.

The complaint is disposed of.

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

[Signature]
Secretary
West Bengal Clinical Establishment
Regulatory Commission

[Handwritten mark]