

Case Reference: WBCERC/PAS/94/2025-26

Mr. Ajoy Singh Complainant

vs

Spandan Hospital, Kharagpur.....Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	09/07/2025	<p>The complaint would relate to unfortunate death of a young man who went for a planned surgery, Septoplasty.</p> <p>The patient was admitted at the CE. He was taken to the room adjacent to the OT for pre operative check-up by the Anaesthetist.</p> <p>The concerned anaesthetist is present online. According to him, after examination of the patient he felt that the OT should be postponed for some logistic issue. At that time, suddenly the patient had a cardiac arrest. CPR was given. One mg Midazolam was pushed however, the patient became unresponsive. He was transferred to Midnapur Spandan Hospital and then</p>



Garden Reach Railway Hospital.

The complainant would contend, the medical records were not given to the higher set-up. The doctor at the other transferred Establishment examined the patient and found him "brain dead". Hence, this complaint.

The post mortem was done. We have not been favoured with a copy of the post mortem report however, the complainant would inform us, opinion is kept pending during pendency of the FSL report.

We have considered the issue. We feel, once the Post mortem is done and the case is under investigation it would be proper for the complainant to escalate the issue before the appropriate authority dealing with the medical negligence. In case he succeeds he would be at liberty to apply before us afresh to deal with the hospital issue.

There are two issues which are glaring that we cannot overlook.

Septoplasty is a planned surgery. The patient was advised admission without pre operative check up. On the day of surgery the concerned anaesthetist was called to



Case Reference: WBCERC/PAS/94/2025-26



assist the surgeon.

Dr. Debjit Das, Anaesthetist would submit that he refused to do the procedure without pre operative check-up hence, the patient was brought to the adjacent room for pre operative check up and at that time the unfortunate incident happened.

In case of planned surgery pre anaesthesia check up should be done well ahead of the surgery. It was not done. This is glaring irregularity on the part of CE

We direct CMOH, Paschim Medinipur to make a thorough investigation and submit a report to us within a period of three weeks from date.

While sending the response the CE, in last paragraph stated "*It is respectfully submitted that the allegations levelled by the complainant appear to have been made with the sole intent to harass the said Clinical Establishment and to fabricate a cause of action.*"

Learned Advocate representing the CE, would defend such statement by drawing our attention to paragraph 7 where they expressed regret for the



Case Reference: WBCERC/PAS/94/2025-26



unfortunate demise of the patient.

Mr. Parthasaathi Mandal, the signatory of the said letter has expressed regret before us. We are totally taken aback.

A young man of 43 years went for planned surgery having no co-morbidity, at least not appears from the record, had a cardiac arrest that could not be taken care of. Yet such reckless statement is made by the CE to malign the next to the keen of deceased.

We express our strong displeasure. We impose a penalty of Rs. 5,000/- on the CE to be deposited with the Commission within a week from date.

The complaint is disposed of.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Prof. (Dr.) Makhan Lal Saha – Member

Sd/-

Sri. Sutirtha Bhattacharya, IAS (Retd)- Member

Sd/-

Smt Madhabi Das – Member

Authenticated
Secretary
West Bengal Clinical Establishment
Regulatory Commission