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Office of the West Bengal Clinical Establishment Regulatory Commission

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**Case Reference: WBCERC/KOL/171/2025-26**

Esther Boni ..... Complainant

vs

Samaritan Clinic Pvt. Ltd.....Respondent/ Respondents

**ORDER SHEET**

| Office Note | Order No. | Date       | Order  |
|-------------|-----------|------------|--|
|             | 1.        | 10/10/2025 | <p>The patient wanted an in-house admission for a planned surgery. Bed was pre-booked however, when she attended the admission desk there was no vacancy hence, she was transferred to ICU without taking any consent from her or her family members.</p> <p>The CE would however strenuously dispute such contention. According to them, since they did not have vacancy they verbally told her that she would be initially admitted in ICU, as soon as bed would be vacant she would be transferred to</p> |

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the ward.

The patient went for a minor surgery. She was quite mentally alert. When she was in ICU she had to go through a trauma watching another patient dying at the ICU.

We have considered the issue. Although we appreciate the trauma that the patient had to face we cannot brush aside the reason shown by the CE. We however, join issue when we find that no written consent was obtained from the patient and / or the patient family.

The patient did not stay there anymore and immediately got her discharged on DAMA.

We direct the CE to refund the bed charge of RS. 3,000/- to the patient on sharing of her bank details.

The CE is also directed to send a letter of regret to the complainant at once.

The complaint is disposed of accordingly.

Sd/-

The Hon'ble Chairperson

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Smt Madhabi Das – Member

*Authenticated*  
*WBC*  
Secretary  
West Bengal Clinical Establishment  
Regulatory Commission