

Case Reference: WBCERC/KOL/150/2025-26

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Mr. Dibyajyoti Sen Complainant

vs

Peerless Hospital.....Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	18/09/2025	<p>This complaint would relate to hospital negligence.</p> <p>85 years old critically ill patient was admitted at the CE. The patient was cancer survivor apart from other co-morbidities. He was admitted with the history of fever for four to five days having shortness of breath. The patient was given conservative treatment.</p> <p>From the records we find, the complainant has no grievance as against the treating doctor rather, he has praised the doctors for the</p>

treatment given to his father.

The complainant has a grievance mainly on the issue that when the patient was advised for PET scan the CE could not arrange it as they did not have any infrastructure to do PET scan and sent the patient to other establishment where the patient had to wait for 3 to 4 hours. Yet, PET scan could not be done as the machine was not functioning. The patient was then taken to another establishment where the condition of the patient deteriorated for which PET scan could not be done. The patient was brought back to the CE.

The patient had hospital acquired lung infection for which he ultimately breathed his last.

We have considered the rival contentions. According to our esteemed medical member Dr.





Sukumar Mukherjee, considering the condition of the patient and his advance age the patient should not have been taken to other establishment for PET scan.

When the complainant does not wish to blame the treatment we do not wish to escalate such issue.

With regard to the ordeal that the complainant has narrated before us at the second establishment where the patient was taken for PET scan, we feel, in absence of the second establishment being made party to the complaint it would be difficult for us to deal with such issue.

We dispose of the complaint by giving liberty to the complainant to make complaint as against the second CE, if he so likes.

The complainant has no grievance as



against the third establishment which could not do the PET scan because of the deteriorated condition of the patient.

The complainant has made few queries by a mail sent to us today morning.

We ask the CE to reply to his queries after consulting the treating team. The said response be sent to the complainant with a copy to the Commission at an early date.

The complaint is disposed of accordingly.

Sd/-
The Hon'ble Chairperson

Sd/-
Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-
Dr. Maitrayee Banerjee – Member

Sd/-
Smt Madhabi Das – Member

Authenticated
[Signature]
Secretary
West Bengal Clinical Establishment
Regulatory Commission