

Office of the West Bengal Clinical Establishment Regulatory Commission  
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**Case Reference:WBCERC/EMID/238/2025-26**

Mr. Sanjay Kumar Kar ..... Complainants

vs

Janakalyan Seva Sadan.....Respondent/ Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	14/01/2026	<p>The complaint would relate to hospital negligence as well as medical negligence.</p> <p>The patient was under follow-up for pain abdomen for about 2-3 months. Ultimately he was advised admission.</p> <p>According to the CE, the patient was admitted under Dr. Gauranga Naik and Dr. Arunangsu Jana who did the surgery. However, in course of surgery, it appeared that there has been a lump in appendix. Surgery could not be completed and it was closed. Patient was treated</p>





conservatively. Ultimately he was discharged with advice to come for further investigation through USG however, the patient did not turn-up.

We received the complaint on December 22, 2025. We immediately sent it for response of the CE. CE did not send us response so long. We kept it for hearing. Only yesterday, we received a two page reply without any supporting document pertaining to the treatment done to the patient.

Despite repeated requests, CE has failed and neglected to share medical records with us. Even at the hearing, Mr. Tapas Kumar Bera, the owner of the nursing home, has categorically stated that since no specific direction was given they did not share the medical records.

His definite assertion is belied by our two mails sent on December 26, 2025 and on January



07, 2026.

We impose a penalty of Rs. 5,000/- for such lackadaisical approach of the CE.

The penalty amount must be paid to the Commission within a week from date.

In course of hearing, it also reveals that the cause of closure of the surgery was not informed to the complainant by this concerned surgeon. It was reported to the complainant by the owner of the nursing home who is not a medical practitioner. It further reveals that the surgeon Dr. Gouranga Naik was not at all present at the operation theatre. His signature was forged by the CE.

Our esteemed Medical Member Dr. M.L. Saha, on evaluation of the response and the other records produced by the complainant, is of the

opinion, closure of the surgery was the right decision of the Doctor and there is no scope for interference on that score.

Other allegations as referred to above, are very serious. Our esteemed Medical Members Dr. M.L. Saha and Dr. Maitrayee Banerjee have offered their service for inspection.

Let them inspect the CE and all medical records pertaining to the subject treatment.

The CMOH Purba Medenipore is directed to render all necessary assistance to the Inspection Team.

Upon receipt of the report from the inspection team the matter would be taken-up by us for logical conclusion in the administrative side.

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/-

SmtMadhabi Das – Member

*Authenticated*  
*[Signature]*  
Secretary  
West Bengal Clinical Establishment  
Regulatory Commission