

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference:INT/KOL/2022/219

Mr. Dipankar Chakrabarti..... Complainants

vs

Charnock Hospital and Spandan Hospital, VIP Road.....Respondent/
Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	27/03/2026	<p>This complaint would relate to medical and hospital negligence done to a 32 year old female patient who breathed her last at the CE(Spandan) on September 20, 2020.</p> <p>On December 23, 2022we heard the matter in absence of the complainant as despite repeated attempts we could not ensure his presence.</p> <p>We disposed of the complaint by observing; the principal issue would relate to medical negligence that could be effectively gone into by the appropriate forum.</p>



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We permitted him to approach appropriate forum as against the medical negligence.

We also dealt with the billing issue and granted refund of Rs. 17, 438/- in case of Spandan.

The complainant filed an application for a fresh hearing as he was not present on that day.

For ends of justice, we placed it for hearing on January 30, 2023 when we heard the complainant. We dealt with all the issues and ultimately came to a finding that the issues could only be effectively gone into by the West Bengal Medical Council.

We also came to know, the complainant already approached the Consumer Forum and the proceedings were yet to be disposed of.

Considering the above, we did not find any

scope to reopen the issue and disposed it of accordingly.

The complainant was still not satisfied. He started sending letters to us. We placed it again for hearing on May 24, 2024 when the identical issues were raised by the complainant. We observed, we could not sit on appeal over our own judgment.

Being aggrieved, the complainant approached the Hon'ble High Court and ultimately the matter was taken to the Hon'ble Apex Court where the complainant was granted liberty to restrict his grievance before us on hospital negligence and file a fresh application on that score.

Application has now been made by the complainant accordingly that we have heard today.



We grant liberty to the parties to submit their written argument with necessary documentary input, if they so desire.

The entire process must be done within a fortnight from date.

Judgment is reserved.

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/-

Dr.Maitrayee Banerjee – Member

Sd/-

Smt Madhabi Das – Member

Authenticated
[Signature]
Secretary
West Bengal Clinical Establishment
Regulatory Commission