

Office of the West Bengal Clinical Establishment Regulatory Commission

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**Case Reference: WBCERC/KOL/270/2025-26**

Abhijit Kumar Dutta ..... Complainant

vs

CMRI.....Respondent/ Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	13/04/2026	<p>The complainant was present on virtual mode and he logged out in course of hearing. Hence, we are constrained to continue hearing in his absence.</p> <p>The complaint would relate to four issues:</p> <ol style="list-style-type: none"><li>1. Bi-Pap given to the patient was un-clean.</li><li>2. The patient developed bed sore during treatment at the CE.</li><li>3. Mask injury caused due to wrong application of mask.</li><li>4. Billing.</li></ol> 



We have heard the CE in detail. We have also examined the medical records.

Dr. Gourdeep Bhattacharya, Deputy Medical Super-in-tendent of the CE has drawn our attention to the Nursing Assessment Register. Nursing assessment on the day of admission would show as follows “bruise, black patches, fungal infection”. We also find reference to skin assessment on the next day that continued on different dates. However, we do not find any reference to the same in the discharge summary.

The Nursing in-Charge present online, would submit, since the bedsore was cured it was not mentioned.

We are not at all impressed.

CE, in their response, has mentioned, the Bi-Pap machine has auto alert. In case there is any

dust involvement it would atomically alert the attendant. No such alert was given in the instant case, at least not noticed during treatment.

So far mask injury is concerned, we do not intend to go into this question in absence of any evidence.

The above would leave us to the issue of billing.

The patient was admitted under a mediclaim policy. From the insurance memo, it is found that out of the total billing of Rs. 10,24,635/- Rs. 52,693/- was discounted. The TPA sanctioned Rs. 4,78,050/- and the patient had to pay Rs. 4,93,892/-.

From the deduction memo we find that there had been a room capping for which Rs. 75,000/- was deducted. Similarly, almost fifty percent of

the bill amount, was deducted on account of pharmacy, medicine and consumable taking the plea of policy condition.

The Insurance Executive would contend, the bill amount far exceeded the total amount covered by the policy. The amount was deducted as such.

In course of hearing, she would however assure us, they would take it up with the TPA and the concerned insurance company and give us a detailed break up of deduction.

Ms. Priyanka Sharma, the Billing Executive present online, would submit that the entire bill was made under insurance mode and not under cash mode.

Such statement is taken on record.

The matter is adjourned to enable the CE to

give us input about further information to be derived from the insurance company and the TPA.

We shall place the matter for further hearing after receipt of the input from the CE.

We hope and expect, the CE would give us required input within a fortnight from date.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Sri. Sutirtha Bhattacharya, IAS (Retd)- Member

Sd/-

Smt Madhabi Das – Member

*Anubhaskar*

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