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Office of the West Bengal Clinical Establishment Regulatory Commission
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Case Reference:WBCERC/KOL/268/2025-26

Mr. Kamal Kumar Das..... Complainant

vs

CMRIRespondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	22/04/2026	<p>The complaint would principally relate to medical negligence. A young boy of thirty years was admitted on September 17, 2025 with headache, vertigo, nausea for two weeks. The patient had a history of CADASIL diagnosed in CMC Vellore. The MRI was done on September 13, 2025.</p> <p>The treating team diagnosed migraine, Hypothyroid, OCD and panic state.</p> <p>According to the hospital record, the patient was initially unconscious. He was advised</p>



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shifting to ICU. His father, the complainant, did not agree and refused to give consent. The patient was treated while he was in general bed.

On September 27, 2025 he was found unresponsive and ultimately he was declared dead on September 28, 2025 at 1.56 a.m. for aspiration and septic shock.

Our esteemed medical member Dr. Sukumar Mukherjee has interaction with the complainant as well as his advocate.

Dr. Mukherjee has also interaction with Dr. Dey, the treating doctor.

We find, since the issue raised herein would relate to medical negligence it should only be gone into by the appropriate authority.

The complainant has also forwarded a copy of the complaint to West Bengal Medical Council.



Let him pursue his complaint before the Medical Council. In case he is successful therein he would be at liberty to approach us afresh for appropriate compensation.

We have gone through the bill that we do in all cases. We find, medicine and consumable have been charged at M.R.P. The investigation cost is quite exorbitant that we find from the bill.

Ms. Sumana Kundu, representing the CE, would submit, that the investigation was charged as per their tariff. However, CE has not been able to give us proper justification for the tariff. Sodium, Potassium, tests were charged for Rs. 1,000/- each. MRI was charged for Rs. 32,000/- with contrast. There are few instances of exorbitant billing.

We have already adjourned another complaint



against the same CE on billing where we would be asking for such justification.

In course of hearing, Ms. Kundu, in deference to the desire of the Commission, would agree to refund Rs. 37,000/- to the complainant on sharing of bank details by the complainant.

We appreciate her gesture.

The complainant is directed to share his bank details with the CE so that money could be refunded to him at once.

We dispose of the complaint accordingly.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Prof. (Dr.) Makhan Lal Saha – Member

Sd/-

Smt Madhabi Das – Member

Authenticated

[Signature]
Secretary
West Bengal Clinical Establishment
Regulatory Commission