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Office of the West Bengal Clinical Establishment Regulatory Commission
1st Floor, 32 B.B.D Bag, West Bengal, Kolkata – 700001.
Phone:- (033) 2262-8447 , Email: wbcerc@wb.gov.in Website: www.wbcerc.gov.in

Case Reference: WBCERC/KOL/38/2025-26

Mr. Pallab Ray Chaudhuri Complainant

vs

Fortis Hospital.....Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	3.	10/06/2026	The complaint would relate to medical negligence as well as billing. Since medical negligence is outside our domain we permitted the complainant to approach appropriate authority for the same. With the regard to billing, we observed that the bill was exorbitant and High Power Team should go into such question. By an order dated May 30, 2025 we

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		formed a High Power Committee to go into the question as to justification of the billed amount. The Committee examined the issue and submitted their report on August 21, 2025. The Committee made some observations however, they were silent on the issue of billing. By the said order dated May 30, 2025 we asked the Committee to give opportunity of hearing to both sides. The Committee did not hear any one of them. The matter again came up on March 27, 2026 when we asked the High Power Medical Expert Team to submit a conclusive
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report after hearing both sides.

Today, the matter has come up again. It appears that the Committee is yet to submit their final report in terms of our earlier order mentioned above.

Since the Learned Advocate representing the CE would submit, by the earlier order dated March 27, 2026 the Commission has already directed the investigation team to give opportunity of hearing let the Committee go into the issue afresh by giving opportunity of hearing to both sides.

We make it clear, in case the Committee is not inclined to comment on the bill particularly, on the monitory aspect

		they must give personal hearing to both sides at least on the observation made by them in the earlier report and consider either to retain the same or otherwise. The complainant has other issues. According to him, medical records sent to him are incomplete. He has received Video recordings of the first two surgeries and not the third one. Moreover, he is yet to receive relevant records pertaining to the third surgery. The patient was under treatment from April 13, 2025 to April 23, 2025. However, the final discharge summary did not mention anything for the period April 13, 2025 to
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April 16, 2025.

Timeline with regard to compliance of the first order has not been followed by the CE.

Continuous non compliance has caused mental harassment to the complainant and his family member that should be compensated.

We have heard the Medical Director as well as the Learned Advocate representing the CE. Medical Director would inform us, the third surgery was done at the OT which was not video recorded. Two CDs earlier given, would relate to cathlab where machine operated procedure was done and



		the CE was able to share the video of those two surgeries. Since the third one was not video graphed it could not be shared. She is however, candid enough to say, if the complainant would approach her she would help him out by forwarding OT note and other relevant records pertaining to the third surgery.
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With regard to time-line, Medical Director would assure, henceforth there would not be latches on the part of the CE and CE would also give letter of unqualified apology as directed by the first order dated May 30, 2025.

With regard to compensation for mental



harassment since we are not competent to assess the compensation on that score the complainant would be free to approach appropriate forum for the same.

Other issues are disposed of.

The billing issue is kept pending awaiting final report from the Medical Investigation Team.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Prof. (Dr.) Makhan Lal Saha – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Smt Madhabi Das – Member

Authenticated

Secretary
West Bengal Clinical Establishment
Regulatory Commission