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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/HOW/12/ 2026-27

Mr. Kamal Kumar Sau..... Complainant

vs

Lords Health Care Nursing HomeRespondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	03/07/2026	The complaint would relate to very very unfortunate state of affairs where a very young girl at the age of 36 years died due to post operative complication in a case of LUCS delivery. The patient was under check up of Dr. Murari Mohan Koley. Since the patient had problem she approached Dr. Koley when Dr. Koley advised her to take admission at Lords Health Care Nursing Home.

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		The patient was admitted on March 5, 2026 at 10.30 am. The lady gave birth to a male child at about 12.34 pm on the same date. The patient was however, shifted to critical care unit as there had been post operative complication. The patient breathed her last at about 9.10 pm on the same day as per the record of the concerned doctor. Soon after the death of the patient there had been law and order problem. CMOH, Howrah, suspended the license of the CE followed by an enquiry. We have been favoured with an enquiry report where we find there had been
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		deficiency in service. Subsequently, the CE filed a compliance report to the CMOH and CMOH permitted OPD facility and other day care service however, IPD service was totally suspended.
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We kept this complaint for hearing today when we are surprised to find, CMOH had already lifted the order of suspension and allowed the nursing home to function. We do not find any supporting document that has resulted withdrawal of the order of suspension.

In course of hearing, Mr. Debabrata Rakshit, representing the CE, would submit, the incident was really unfortunate. The

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		concerned doctor manipulated the medical records subsequently for which an FIR has been lodged by the CE. The criminal case is pending.
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In deference to the desire of the Commission CE is agreeable to make some provision for the unfortunate child who lost his mother soon after his birth.

The complainant, the mother of the ill-fated lady would submit, they are now taking care of the new born as the husband of the ill-fated lady is not having financial soundness to maintain the child.

We direct the CE to make a fixed deposit in the name of the child for Rs. 10,00,000/-



in any Nationalised Bank of their choice.

Needless to mention, the parents of the ill-fated lady would open an account in the name of the minor with an express consent to be obtained from the father of the child and share the bank details with the CE so that money could be fixed in a suitable interest bearing deposit having monthly interest plan.

The couple would be entitled to spend the monthly interest for the welfare of the child. However, they would not be entitled to encash the fixed deposit and the same would be kept alive till the minor attains majority.



		This amount of Rs. 10,00,000/- would be considered as a final settlement of the compensation qua the hospital negligence. This amount of compensation would however, not preclude the complainant to approach the West Bengal Medical Council as against the concerned gynaecologist. He would also be entitled to approach the appropriate forum for the appropriate compensation from the concerned gynaecologist in accordance with law. Office is directed to send a copy of this order to CMOH, Howrah who is directed to share appropriate records resulting re-opening of the establishment with the
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Commission.

The complaint is disposed of accordingly.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Makhan Lal Saha – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Smt Madhabi Das – Member

Authenticated

HL
Secretary
West Bengal Clinical Establishment
Regulatory Commission