

**THE WEST BENGAL CLINICAL ESTABLISHMENT  
REGULATORY COMMISSION.**

**Present: Justice Ashim Kumar Roy, Chairperson.**

**Dr. Sukumar Mukherjee, Member.**

**Dr. Gopal Krishna Dhali, Member.**

**Dr. Makhan Lal Saha, Member.**

**Dr. Madhusudan Banerjee, Member.**

**Dr. Maitreyi Banerjee, Member.**

**Smt. Madhabi Das, Member.**

**COMPLAINT ID: DJRZ/2017/000188.**

**Mr. Palash Chandra Paul.....Complainant.**

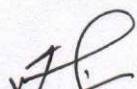
**-versus-**

**Anandaloke Cellaion Centre & others.....Respondents.**

**Date of judgment: 26<sup>th</sup> June, 2018.**

**J U D G M E N T.**

This case has been registered on receipt of letter of complaint from Mr Palash Chandra Paul, the service recipient. According to him, having an abdominal pain on 30.06.2017, he attended Dr P. D Bhutia at Matigara. When Dr Bhutia advised him amongst others USG whole abdomen. The USG was done on 19.07.2017 at Anandalok Hospital and Neurosciences Centre, Siliguri. The USG revealed the complainant was having Appendicitis, Fatty changes in liver and Heterogenous pancreatic parenchyma. When as advised by Dr Bhutia he consulted Dr Bibek



Sarkar at Paramount Hospital, Siliguri and considering the USG report, Dr Sarkar advised few medicines and asked him to report after some days. Since the complainant got no relief, he visited Dr Sarkar once again and Dr Sarkar advised him to take admission at their nursing home. However, instead of taking admission as advised by Dr Sarkar, the complainant went to Asian Institute of Gastroenterology, Hyderabad and consulted Dr Manu Tandon and had shown him the report including the USG report. Then as advised by Dr Manu Tandon at Hyderabad, certain other tests were done and after going through those reports, Dr Tandon opined that he has been suffering from infection in Oesophagus Tube and besides that he has no other disease and after having the medicine prescribed by him, he has fully recovered.

It is claimed that due to false USG report, he has to suffer unnecessarily and therefore, an immediate action is called for against Anandalok Hospital and Neurosciences Centre, Siliguri in accordance with law.

2. In their reply, the Clinical Establishment denied the allegations made against them by the complainant. According to them, the USG was done in MEDISON R7 machine manufacturer MEDISUN/SAMSUNG purchased in the year 2014. It is further contended that the USG plate clearly indicates thick walled appendix, therefore, it was correct to say that the patient was suffering from appendicitis. It is further contended that while under treatment of Dr Bhutia and Dr Bibek Sarkar, the patient was having antibiotics and the appendicitis which was identified in the USG must have cured due to the effect of those antibiotics.

3. We have given our anxious and thoughtful consideration to the rival submissions of the parties. Considered the treatment documents of the complainant. The medical Members of the Commission took an active part in the deliberation.

4. We find according to the USG report of the complainant done at Anandalok Hospital and Neurosciences Centre, Siliguri on 19.07.2017, he was having Appendicitis, Fatty changes in liver and Heterogenous pancreatic parenchyma whereas according to the CT scan report done at Asian Institute of Gastroenterology, Hyderabad on 05.08.2017, impression was Mild fatty attenuation liver, small subcentimeter mesenteric lymph node and short segment edematous

loop of proximal ileum. The fatty change of liver noted during USG whole abdomen was also revealed in CT abdomen done at Asian Institute of Gastroenterology, Hyderabad. It is true that appendicitis and Heterogenous pancreatic parenchyma were not detected in the CT abdomen at Asian Institute of Gastroenterology, Hyderabad. It cannot be overlooked during the period from 22.07.2017 till 05.08.2017, the complainant was receiving various medicines including antibiotics as advised by Dr Bibek Sarkar. Therefore, the symptoms of appendicitis and Heterogenous pancreatic parenchyma might have, in all likelihood, subsided and resolved due to the regular use of antibiotics in the intervening period.

5. In the above backdrop, it cannot be conclusively held beyond all reasonable doubts, the USG report of Anandalok Hospital and Neurosciences Centre, Siliguri was wrong and findings were incorrect.

6. We do not find any merit in this case and the complaint stands dismissed.

Sd/-

**Justice Ashim Kumar Roy**  
**Chairperson.**

Sd/-

**Dr. Sukumar Mukherjee, Member.**

Sd/-

**Dr. Gopal Krishna Dhali, Member.**

Sd/-

**Dr. Makhan Lal Saha, Member.**

Sd/-

**Dr. Madhusudan Banerjee, Member.**

Sd/-

**Dr. Maitreyi Banerjee, Member.**

Sd/-

**Smt. Madhabi Das, Member.**

*Authenticated*

*[Signature]*  
29/6/2018.

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**Secretary**  
**West Bengal Clinical Establishment**  
**Regulatory Commission**