

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

Present: Justice Ashim Kumar Roy, Chairperson.

Dr. Madhusudan Banerjee, Member.

Dr. Maitrayee Banerjee, Member.

COMPLAINT ID: KOL/2018/000350.

Mr. Sumanta Kar.....Complainant.

-versus-

B.B. Eye Foundation.....Respondents.

Date of judgment: 27th November, 2018.

J U D G M E N T .

The mother of the complainant, who was suffering from some visual problem, was taken to Dristidan Eye Research Center, CIT Road, and a unit of B.B. Eye Foundation by the complainant. At the said center, the complainant's mother was examined by Dr. Ajoy Paul and was diagnosed that she was suffering from loss of vision due to cataract and advised for operation. Dr. Paul then asked the complainant to contact Bappa Babu, one of the employees of that research center. It is the further case of the complainant that he immediately contacted Bappa Babu and was told by him that such surgery can be done under packages of different amounts. The complainant was also told by the said Bappa Babu that there was package of Rs.25000/- and in such package a lens of Rs.14000/- will be implanted. On such representation the complainant opted for the package of Rs.25000/-. Thereafter on 12.02.2018 the cataract operation of the mother of the complainant was done by Dr. Ajoy Paul at B.B. Eye Foundation. The package amount was then paid by the complainant in cash. On 13.02.2018 the

complainant was handed over with two money receipts by Bappa Babu, the first one of Rs.11000/- i.e. the fees of the doctor for operation and the next one was of Rs.7000/- cost of the lens. He was also given another receipt of Rs.7000/- on account of bed and OT charges. Immediately, the complainant contacted Bappa Babu but Bappa Babu denied that the complainant was told by him that the lens of Rs.14000/- will be implanted in the package of Rs.25000/-.

The complainant alleged that he has been cheated by the clinical establishment and on enquiry, he has now come to learn that the cost of package will be much less than Rs.25000/- where the lens implanted costs Rs.7000/-.

2. At the time of hearing, Dr. Paul appeared in person and categorically denied that from their clinic, the complaint was told that in case of package of Rs.25000/-, a lens of Rs.14000/- shall be implanted. In this regard, he also produced the bills of different other patients to show that in case of them also, who opted for package of Rs.25000/- the lens implanted was of Rs.7000/-. In those cases also, Rs.11000/- was charged on account of doctor's fees and Rs.7000/- on account of OT and bed charges.

3. Having regards to above, we are of the opinion that the complainant has failed to sustain his case against the Clinical Establishment and the same stands closed and disposed of.

Sd/-

Justice Ashim Kumar Roy
Chairperson.

Sd/-

Dr. Madhusudan Banerjee, Member.

Sd/-

Dr. Maitrayee Banerjee, Member.

Authenticated

[Signature]
22/11/2018

ARSHAD HASAN/WARS/
WBCS (Ex)

Secretary
W. B. C. E. R. C.