

-Office of the West Bengal Clinical Establishment Regulatory Commission  
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Case Reference: KOL/2018/000390

Rajesh Mandal..... Complainant

vs

R. N. Tagore International Institute of Cardiac Sciences ( Unit of Narayana Hrudayalaya  
Ltd)..... Respondent/ Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	04/07/ 2019	<p>This is a case of unsuccessful duodenum operation causing biliary fistula resulting in peritonitis where the patient passed away.</p> <p>We have heard the parties at length. We have also heard the surgeon and the gastroenterologist. The complaint would principally pertain to medical negligence for which the petitioner has already approached the West Bengal Medical Council and the complaint is awaiting adjudication at their end.</p> <p>On the issue of deficiency in service by the Clinical Establishment, we have also heard the parties. In course of hearing, in deference to the desire of this Commission, Dr. Joydeep Bhattacharjee, Medical Superintendent would offer a sum of Rs. 5,00,000/- as a token compensation that the petitioner present before us, would accept. The petitioner assures this Commission, he would send his bank details by tomorrow so that the Clinical Establishment could transfer the said sum to his bank account within a period of two weeks from date.</p>

We make it abundantly clear, upon receipt of such sum the complainant would not proceed as against the Clinical Establishment before any other forum.

This order would, however, not preclude the petitioner from proceeding with the complaint before the West Bengal Medical Council.

The complaint is disposed of accordingly.

Sd/-

Hon'ble Chairperson

Sd/-

Dr. Sukumar Mukherjee, Member

Sd/-

Dr. Madhusudan Banerjee, Member

Sd/-

Smt. Madhabi Das, Member

*Autographed*

*ARSHAD HASAN WARSI*  
WB: Ex)  
Secretary  
West Bengal Clinical Estab:  
Regulatory Commissi:  
&  
Joint Secre:  
Health & F.W. Department