

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

**Case Reference: SPG/2017/000252**

**Mr. Prabir Kumar Paik..... Complainant**

**vs**

**Fortis Hospital Limited..... Respondent/ Respondents**

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	04/07/2019	<p>The complaint would pertain to medical negligence as well as negligence on the part of the clinical establishment. The medical part is not within our domain. The petitioner has already approached the West Bengal Medical Council.</p> <p>We have heard the parties on negligence on the part of the clinical establishment. In course of hearing, the petitioner would contend, apart from the other instances of deficiency in services, there would be billing dispute. The patient was under West Bengal Health Scheme. For the negligence on the part of the Doctors and the clinical establishment, the patient had to be under treatment in the establishment for thirty four days involving a sum of Rs.13 lakhs approximately. The clinical establishment has discounted a sum of Rs. 6 lakhs approximately. The petitioner would however inform us, he could recover a sum of Rs. 4.8 lakhs resulting loss of Rs.2.2 lakhs. At this juncture, Dr. Arafat Faizal, the Medical Superintendent of the clinical establishment, on instruction, offers the said sum to the petitioner. The petitioner is ready to accept the same and withdraw all allegations as against the clinical establishment, reserving their liberty to pursue the Medical Council</p>

proceeding. Dr. Faisal assures, the money would be sent within two weeks from the date of communication of the bank details. We would however request the clinical establishment to make a fixed deposit in name of the minor child, namely Priyadarsini Paik.

We make it abundantly clear, the petitioner would not proceed against the clinical establishment in any other forum.

The complaint is disposed of.

Sd/-

Hon'ble Chairperson

Sd/-

Dr. Sukumar Mukherjee, Member

Sd/-

Dr. Madhusudan Banerjee, Member

Sd/-

Smt. Madhabi Das, Member

*Authenticated*

*[Signature]*  
**ARSHAD HASAN WARSI**  
WBCS (Ex)  
Secretary  
West Bengal Clinical Establishment  
Regulatory Commission  
&  
Joint Secretary  
Health & F.W. Department