

Office of the West Bengal Clinical Establishment Regulatory Commission
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Case Reference: NPG/2018/000414

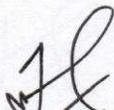
Sailen Das..... Complainant

vs

AMRI Hospitals Limited, Salt Lake..... Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	23/07/2019	<p>This complaint would relate to a very unfortunate incident where a freedom fighter died. The complainant, relative of the freedom fighter, would allege medical negligence and negligence on the part of the clinical establishment whereas the clinical establishment would strenuously dispute such contention.</p> <p>The facts would depict, the patient was a critically ill patient particularly because of his advanced age. He was 106 years old. He was under treatment of Dr. Subhankar Ganguly for about two decades. The Complainant would allege, on the advice of Dr. Ganguly they got the patient admitted at the clinical establishment for a particular treatment as he was suffering from loss of memory, might be due to fall of sodium level. The complainant would allege, they made it categorically clear to Dr. Ganguly that they would not be in a position to take the burden of expensive treatment. However, the clinical establishment, without considering the instruction, caused</p>



various investigations that, according to the complainant, was wholly unnecessary. When the bill was shooting up they requested for the discharge of the patient. They, in fact, approached, the Hon'ble Chief Minister of the State for his admission at any Government Establishment. Ultimately, they could arrange for admission at NRS Medical College, however, there was unusual delay in getting the patient discharged and as a result, the patient ultimately died after admission at the Government Establishment. Dr. Ganguly is present. He gave us a brief summary of the treatment that was necessary for the patient and was administered. The clinical establishment would deny allegations of unnecessary delay.,

In course of hearing Dr. Misra the Medical Superintendant of clinical establishment would pray for a short adjournment so that they could reconsider the issue. Keeping his request, we have adjourned the matter for a brief period. Now, that the matter is taken up in second call, Dr. Misra, on instruction, would inform us, in deference to the desire of the Commission the clinical establishment is ready to pay a reasonable compensation to the complainant. He would, however, request us to take into account a sum of Rs.20, 000/- already paid in terms of earlier order dated July 3, 2019 where we penalised the Hospital Authority for unnecessary adjournment of the matter. We appreciate the gesture shown by the clinical establishment. We direct them to pay the sum of Rs.1 lac. Since they have already paid Rs. 20, 000/- the said sum is adjusted against the said sum of Rs.1 lac. Dr.



Misra would assure, the balance amount of Rs.80, 000/- would be paid within three weeks from date.

It is kept on record, the complainant Mr. Sailen Das has received a pay order for Rs.20, 000/- handed over to him today. It is also made clear, upon receipt of the balance amount of Rs.20, 000/- he would not be proceeding against the clinical establishment in any other forum on the identical issue.

In view of assurance given by the clinical establishment, we do not wish to go into the details of the complaint.

The complaint is disposed of accordingly.

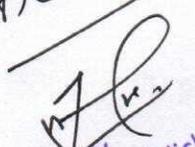
Sd/-
Hon'ble Chairperson

Sd/-
Dr. Sukumar Mukherjee, Member

Sd/-
Dr. Makhanlal Saha, Member

Sd/-
Dr. Madhusudan Banerjee, Member

Sd/-
Dr. Maitreyi Banerjee, Member

Authenticated

Secretary
West Bengal Clinical Establishment
Regulatory Commission
&
Jt. Secy. Deptt. of Health & FW
Govt. of West Bengal