

Office of the West Bengal Clinical Establishment Regulatory Commission
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Case Reference: KOL/2019/000596

Sakhi Biswas..... Complainant

vs

Fortis Hospital Limited..... Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	30/07/2019	<p>This complaint would relate to medical negligence as well as negligence on the part of the clinical establishment. Initially, we have expressed our desire to have this complaint heard after disposal of the pending proceeding before the West Bengal Medical Council. However, the petitioner would insist upon disposal of the complaint against the clinical establishment.</p> <p>The complainant would raise three issues as against the clinical establishment:-</p> <p>i) There was no appropriate counselling before or after the cathlab procedure, that resulted in complication which surfaced during the second admission and that too, in the discharge summery issued by the clinical establishment during second admission.</p> <p>ii) The clinical establishment did not mention about the complications in the discharge summery issued during first</p>



admission that was a gross irregularity on their part.

- iii) There had been inordinate delay in conducting CT Angioplasty done during second admission.

The treating doctor was to take conscious decision as to when the CT Angioplasty would be done. The treating doctor advised for CT Angioplasty on July 16, 2018 and the CT Angioplasty was done on the next day. The doctors present in the panel, are of the view, the allegation of inordinate delay is possibly misplaced.

On the other two issues, the treating doctor would assert before us, proper counselling was done before and after the procedure. He is, however, candid enough to say, it was not recorded in the bed head ticket, but the complication was written in the cathlab note, however, it was not specifically mentioned in the first discharge summary. It was mentioned in the second discharge summary.

The clinical establishment is represented by their representative. At this juncture, Dr. Namita Mittel, Deputy Medical Superintendant present before us, on instruction would offer a token compensation of Rs.50, 000/- that would be paid within a period of fortnight. In view of such offer being made by the Medical Establishment, we do not wish to go into detail. The complaint is disposed of with the hope and trust clinical establishment would keep their assurance and file a report of compliance before us within a week thereafter.

This order would not preclude the petitioner to pursue her right



		<p>before the West Bengal Medical Council; however, she assures us, she would not be impleading the clinical establishment in any other proceeding.</p> <p>The complaint is disposed of.</p> <p>Sd/- Hon'ble Chairperson</p> <p>Sd/- Dr. Sukumar Mukherjee, Member</p> <p>Sd/- Dr. Makhanlal Saha, Member</p> <p>Sd/- Dr. Madhusudan Banerjee, Member</p> <p>Sd/- Dr. Maitreyi Banerjee, Member</p> <p>Sd/- Shri S. K. Thade, IAS, Member</p>
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[Signature]

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