

Office of the West Bengal Clinical Establishment Regulatory Commission  
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Case Reference: SPG/2017/000252

Mr. Prabir Kr. Paik ..... Complainant

VS

Fortis Hospital Limited..... Respondent/ Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	30/07/2019	<p>This matter has come at our instance when the office has placed a mail received from the clinical establishment. The contents are quoted below :-</p> <p><i>"We appreciate your patient hearings in the case referred above and resolving the conflict arising between the patient party, clinical establishment and the clinicians. While we await the details to be shared by the patient party, I would like to draw your attention to the specific clause mentioned in the judgement – "for the negligence of the doctors and the clinical establishment, the patient had to be under treatment in the establishment for 34 days involving a sum of 13 lakhs approximately."</i></p> <p><i>Sir, with utmost respect, I would like to protest against this clause and as discussed in the hearing would like to elaborate that we provided the best of the care to the patient and there was no element of negligence on our part. The unfortunate demise of Mrs. Sreerupa paik was beyond our control and as you rightly mentioned should be referred to the West Bengal Medical Council for deliberation. Till such time the deliberation takes place, we would request you to kindly reconsider the clause referred above. Awaiting your reply. We will complete the transaction once we receive a response from your end."</i></p> <p>In our view, the clinical establishment was under total misapprehension that</p>





resulted in sending of the mail to the Commission. The sentence that they would ask for deletion, would refer to the submission of the petitioner.

In view of the assurance given by the clinical establishment, offering compensation to the petitioner, we refrained ourselves from adjudicating on the complaint dealing with the allegations and counter allegations. We do not find any scope for clarification. We hope and trust, the clinical establishment would adhere to their assurance that is recorded in our order dated July 4, 2019.

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*  
*[Signature]*

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