

Office of the West Bengal Clinical Establishment Regulatory Commission  
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Case Reference: KOL/2018/000407/000492

Mr. Pankaj Saha..... Complainant

VS

AMRI Hospital Limited..... Respondent/ Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
		22/08/2019	<p>The hospital has appealed to the Commission asking for clarification of our order dated July 4 2019 wherein we recorded payment of compensation of Rs.5.5 lakhs as agreed by the clinical establishment. The hospital would ask for a clarification as to whether the complainant would still be entitled to proceed against the establishment after receipt of the money.</p> <p>It is obvious, after settlement of the complaint and when the clinical establishment already offered payment of Rs.5.5 lakhs that is accepted by the complainant there would be no scope for the complainant to sue the clinical establishment any further on the self same cause of action. I think, this would clarify the position.</p> <p>It is unfortunate, the clinical establishment has not yet paid the said sum. The clinical establishment is directed to pay the said sum positively within a week from date, such payment be made either by cheque or by a bank draft to be sent at the address of the complainant recorded in the clinical establishment through special messenger.</p> <p>In default, the money would carry interest at the rate of 10% per annum from the date of default.</p>

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*Authenticated*

**ARSHAD HASAN WARS**  
Secretary  
West Bengal Clinical Establishment  
Regulatory Commission  
&  
Department

The order dated July 4, 2019 is clarified accordingly.

Sd/-  
Hon'ble Chairperson

Sd/-  
Dr. Abhijit Chowdhuri, Member

Sd/-  
Dr. Madhusudan Banerjee, Member

*Authentic*

**ARSHAD HASAN WARSI**  
Secretary  
West Bengal Clinical Establishment  
&  
Regulatory Commission  
Joint Secretary  
Health & F.W. Department