

Office of the West Bengal Clinical Establishment Regulatory Commission
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Case Reference: NPG/2018/000482

Mrs. Dipa Ghosh..... Complainant

vs

Charnock Hospital Pvt. Ltd. Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	20/08/2019	<p>This case was partly heard by us on July 30, 2019. We kept it today for further hearing on the prayer of the Learned Advocate assisting the complainant.</p> <p>The facts would depict, the complainant was admitted in the clinical establishment for Ventral Hernia surgery of the abdomen. The surgery was uneventful. However, during dressing the clinical establishment used Hydrogen Peroxide possibly, with higher strength, that created complication and the patient's wound did not heal up. Despite repeated surgical intervention by the concerned surgeon, even today it is not healed up. Use of Hydrogen Peroxide at its higher strength is, however, not established before us in absence of the sample.</p> <p>We heard the surgeon, we also heard the clinical establishment. It appears, it might have been due to fault of the supplier or mistake of</p>

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		<p>the paramedical staff for which the hospital cannot avoid their responsibility.</p>
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Even if we term it as an accidental lapse we cannot appreciate the conduct of the clinical establishment, as we find, the patient had to pay for subsequent services for healing of the wound that was really inhuman approach on the part of the Hospital Authority.

We award compensation of Rs.50, 000/- to be paid by the Hospital Authority within a month from date. We also grant liberty to the complainant to produce evidence to payment of the subsequent bills raised by the clinical establishment at the post operative stage after discharge, to the Hospital Authority so that the Hospital Authority could reimburse her all such expenses within a period of one week thereafter.

Dr. Makhanlala Saha, one of the panel members is kind enough to volunteer to help the complainant. We would request SSKM Hospital to render assistance to Dr. Saha for further surgical intervention and management, if required.

The complaint is disposed of accordingly.

We are told; the complainant already approached the Medical Council as against Dr. Nirmalya Bagchi, the concerned Surgeon. It now appears, Dr. Bagchi is not registered with West Bengal Medical Council. At this stage, Mr. Sandeep Mukherjee, IPD In Charge, of the Hospital Authority would submit, they would communicate this information to Dr. Bagchi and would see to it so that Dr. Bagchi would



register himself with West Bengal Medical Council so that the complaint could be taken care of.

Before we part with, we record our appreciation for the contribution of Mr. Bijan Kumar Mitra, Learned Advocate who has been engaged by the State Legal Service Authority, to assist the complainant by rendering legal assistance.

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

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