

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference: NPG/2019/000684

Sanjay Das..... Complainants

vs

Desun Hospital and Apollo Gleneagles Hospital.....Respondent/ Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	23/12/2019	<p>This complaint would relate to death of a female patient of 58 years. She was a spinster .The doctors diagnosed it as a possible case of carcinoma or peritoneal carcinoma. The medical records are evaluated by the doctors present in the panel. They are of the view, whether the treatment was in the right direction or not, would be within the complete domain of the West Bengal Medical Council.</p> <p>We refer the issue to the West Bengal Medical Council for appropriate adjudication. In case the West Bengal Medical Council would opine in the positive the complainant would be free to approach us again for appropriate compensation as against the Clinical Establishment.</p> <p>Such liberty is given to the complainant in view of the positive assertion on his part to the extent, they would charge both the Clinical Establishments and not the concerned doctors. Hence, the Clinical Establishments would have responsibility for the medical negligence, if any, found out at the appropriate stage.</p> <p>The complaint is disposed of accordingly. The medical records are</p>





sent to the Medical Council along with the copy of this order.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Prof. (Dr.) Madhusudan Banerjee – Member

Sd/-

Sri S. K. Thade, IAS – Member

Sd/-

Prof. (Dr.) Debasis Bhattacharya - Member

*Authenticated*  
*[Signature]*  
**ARSHAD HASAN WARSI**  
WBCS (Ex)  
Secretary  
West Bengal Clinical Establishment  
Regulatory Commission  
&  
Joint Secretary  
Health & F.W. Department