

Office of the West Bengal Clinical Establishment Regulatory Commission  
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Case Reference: JAL/2019/000675

Nazma Khatoon ..... Complainant

vs

Fortis Hospital Limited.....Respondent/ Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	07/01/2020	<p>The complaint would pertain to medical negligence. The complainant has no grievance as against the billing process. However, on the last occasion, we gave opportunity to the Clinical Establishment to give a fresh re-look to the bill as our conscience would prick, if we keep our eyes shut when we find apparent irregularity in the billing process.</p> <p>We have heard the parties at length. Dr. Upal Sengupta, the treating nephrologist, explained to us details of the treatment. Our experts present at the panel, would refrain from making any comment on the same as it would be within the complete domain of the West Bengal Medical Council.</p> <p>We permit the complainant to approach the Medical Council if he is so advised and if he so chooses.</p> <p>If he gets any positive result from the Council, he would be at liberty to approach us again for appropriate compensation as against the Clinical Establishment.</p> <p>Regarding the billing process, in course of hearing we feel, a sum of Rs.1 lakh should be given as discount. The patient party has paid</p>

Rs.4,66,048/- out of total bill Rs.17,81,022/-. Balance was paid by the Insurance Company.

We direct the Clinical Establishment to refund Rs.66, 048/- to the patient party. We would also direct the Clinical Establishment to spend a sum of Rs.34, 000/- for feeding the orphans being nurtured in Ramkrishna Vivekananda Sangha, Bator, Howrah as a "Corporate Social Responsibility." They would spend the said sum upon consultation with the management of the said organisation. The Clinical Establishment would file a report of compliance including a video photograph, if possible. The same should be done within a month from date.

Apart from exercising liberty given to the complainant for approaching the West Bengal Medical Council as against the treating doctor, the complainant would not be entitled to approach any other forum as against the Clinical Establishment.

The complaint is disposed of accordingly.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Makhan Lal Saha – Member

Sd/-

Prof. (Dr.) Madhusudan Banerjee – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Prof. (Dr.) Debasis Bhattacharya- Member

*Authentic copy*