

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference: NAD/2019/000730

Ajay Kumar Ghosh..... Complainant

vs

Manorama Hospitex Pvt. Ltd.....Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	2.	12/02/2020	<p>This complaint would relate to unfortunate death of a young boy of 37 years. He had very acute MI cardiac arrest on the fateful day. The complainant would submit, at that point of time the blood pressure was recorded by 80/60. He was rushed to the Clinical Establishment, said to be multi speciality hospital having 100 bed and ICU and HDU facility. The complainant would complain, the life saving drug, Streptokinase was not available and the patient was asked to be shifted to a higher set up. The patient was taken to Gandhi Memorial Hospital at Kalyani where he passed away.</p> <p>The Clinical Establishment has filed affidavit where they would contend, since the blood pressure was not recordable that particular medicine, although available in the pharmacy, was advisedly not administered to the patient and he was asked to be taken to the higher set up as the Clinical Establishment did not have any emergency set up to give treatment to the patient of the like nature. In support of their statement, they have produced a copy of the drug ledger pharmacy showing, particular medicine was available on that</p>

day at the pharmacy.

The relevant paragraphs of the affidavit, being paragraph 8, 9 & 10 are set out here in :

“8. I say that as per the complaint regarding non availability of INJ STREPTOKINASE as a basic thrombolytic drug, it is always available in our pharmacy.

9. I say that the said application is full of **concocted** allegations, which are **baseless** and **vague** and not an **iota of proof** has been provided to support these **false claims**.

10. I say that the said application has only been filed with a **false** and **malafide** intention to **lower down** the **social prestige** of the opposite party as well as to **extort money** from this opposite party.”

We are astonished to find, the Clinical establishment, instead of admitting their fault and inability to treat the patient, made bold allegation as against the complainant, the unfortunate father who lost his son at his prime age.

The conduct of the Clinical Establishment is deplorable. The complainant, in his complaint, categorically contended, he wanted justice before us and in the same breath, he made it clear, he is not interested in any financial compensation. Despite such statement being made in the complaint, the Clinical Establishment has filed affidavit that would contend the aforesaid paragraphs, quoted supra.

We impose a penalty of Rs. 1,00,000/- as against the Clinical Establishment. Since the complainant does not want this amount we direct the Clinical Establishment to deposit the amount with Matrisadan, Tollygaunge, run by Ramakrishna Sarada Mission, within



a period of one month from date. In case the amount is deposited, the concerned hospital would spend the same in the memory of the patient, late Monojit Ghosh, and suitably acknowledge the same, if possible by fixing a plaque in his name, in their hospital complex.

We also direct the Ministry of Health, State of West Bengal particularly, licensing authority, to make a thorough investigation as to the set up of the Clinical Establishment to find out how they could claim multispecialty status without having any infrastructure to deal with such emergency cases that would mislead the public at large. The Department would kindly inform us about the result of the investigation and should take appropriate action if occasion so arises after such investigation.

The complaint is disposed of accordingly.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Prof. (Dr.) Madhusudan Banerjee – Member

Authenticated

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