

Office of the West Bengal Clinical Establishment Regulatory Commission

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**Case Reference: INT/KOL/2022/014**

Mr. Dilip Saha & Others ..... **Complainant**

**vs**

Asutosh Nursing Home..... **Respondent/ Respondents**

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	24/0/2022	<p>The complaint would relate to running of a nursing home in a domestic establishment. It appears that the concerned building is a multi storied one having partial use for residential purpose and partial for commercial purpose that would include a nursing home being the CE in the present case.</p> <p>The residents association made complaint to various organisations including us on May 25, 2021 and filed a writ petition before the Hon'ble High Court at Calcutta.</p> <p>The Learned Single Judge disposed of the writ petition by directing the Commission to go into the complaint and till then an order of stay in admission.</p>





The CE preferred an appeal. The Division Bench set aside the order of stay however, observed, the complaint might be gone into by the Commission.

The order of Hon'ble High Court at Calcutta passed by the Hon'ble Single Judge as partly confirmed by the Hon'ble Division Bench has been placed before us.

Today, we have fixed the complaint for hearing. The complainant is absent. The CE is present. Mr. Debasis Sarkar Learned lawyer appearing for the CE, would contend, the Nursing Home is running since 1979 after obtaining requisite licence that is still valid in law. Hence, the complaint is not tenable.

We have perused complaint. There are various issues that could be effectively gone into by an inspecting team duly authorised for the purpose. We would request the Director, Health Service to make a thorough inquiry through a proper inspection team and report to the appropriate licensing authority. We would also direct the licensing authority to conduct a proper proceeding, if





required, after perusal of the inspection report and take the complaint to a logical conclusion upon notice to the Commission.

The complaint is disposed of.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

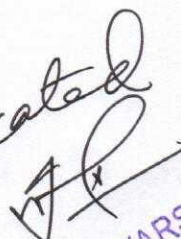
Prof. (Dr.) Madhusudan Banerjee – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Smt Madhabi Das – Member

*Authenticated*  
  
ARSHAD HASAN WARSI  
Secretary  
W. B. C. E. R. C.