

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference: INT/HOW/2021/253

Mr. Manoj Pal Complainant

vs

Arambagh Apexx Diagnostic & Health Care Pvt. Ltd..... Respondent/
Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	3.	07/02/2022	<p>The core issue would relate to medical negligence. The patient was admitted at the nursing home with fracture of the neck of femur. The surgery was done on November 13, 2020. It was uneventful. According to the complainant, after two days of surgery, patient suffered a cardiac arrest and died in presence of his daughter who was assisting him to have his food.</p> <p>We initially heard this matter on February 20, 2021, when we directed affidavits to be exchanged and post mortem report to be produced.</p> <p>The matter again came up for hearing before us on August 4, 2021 when we found that the post mortem report opined, “the death was due to effect of Myocardial infection and sepsis.”</p>

This subject should be effectively gone into by the West Bengal Medical Council in case the complainant would proceed against the concerned treating team. We granted liberty to the applicant to approach us again in case he was successful before the West Bengal Medical Council.

Being aggrieved by the said order the complainant has now come up in review.

We have heard the complainant. The complainant would contend, they approached the nursing home and not the doctor hence, it was the principal responsibility of the nursing home to provide adequate service that they failed. We do not find any merit.

The application is disposed of accordingly.

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
W.F.

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