

Case Reference: INT/NPG/2022/069

Mr.Tilak Chandra Biswas..... Complainant

vs

Eden Nursing Home..... Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	29/03/2022	<p>The complaint would relate to post surgical complication in a case of Orthopaedic procedure.</p> <p>The complainant would contend, they did not know the concerned doctor who was introduced by the CE.</p> <p>The representative of the CE as well as doctor are present. They would deny such allegation. They would contend, the patient party contacted a medicine shop where from they got the phone number of the concerned doctor. The concerned doctor examined the x-ray report sent through whatsapp and on such examination he recommended the patient to be admitted at the CE. After the patient had been admitted therein the concerned doctor examined the patient and did the surgery that</p>



		<p>would have post surgical complication which was subsequently treated at a government hospital and a private hospital outside the State.</p>
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The complainant would contend, in the process, he had to spend huge sum although the patient is not fully cured.

We have examined the complaint. We do not find any scope to interfere at this stage as against the CE. Even if we accept the assertion of the complainant, the concerned doctor was introduced by the CE, unless and until any negligence is determined fixing the responsibility of the doctor by an appropriate forum we cannot blame the CE or award any pecuniary relief in favour of the complainant as against the CE.

The complainant initially approached the Consumer Department where a conciliation proceeding was had without any result.

We grant liberty to the complainant to approach the appropriate authority on the issue. In case he is successful therein to establish medical negligence he would be at

liberty to approach us again for appropriate compensation.

The complaint is disposed of.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Makhan Lal Saha – Member

Sd/-

Prof. (Dr.) Madhusudan Banerjee – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Smt. Madhabi Das – Member

Authenticated
WJL

Secretary
West Bengal Clinical Establishment
Regulatory Commission