

Office of the West Bengal Clinical Establishment Regulatory Commission

1<sup>st</sup> Floor, 32 B.B.D Bag, West Bengal, Kolkata – 700001.

Phone:- (033) 2262-8447 , Email: [wbcerc@wb.gov.in](mailto:wbcerc@wb.gov.in) Website: [www.wbcerc.gov.in](http://www.wbcerc.gov.in)

**Case Reference: INT/EMID/2022/096**

Mr. Chandan Kumar Das..... Complainant

vs

Medica Superspecialty Hospital..... Respondent/ Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	06/05/2022	<p>The couple, despite normal course, could not have any issue and attempted IVF process that was found to be successful giving the birth to twin babies at 27 week. The first baby was weighed 580 grams whereas the second one was 1095 grams. Delivery was absolutely premature. Twins ultimately died.</p> <p>After receipt of the complaint, we requested Dr. Arundhati Banerjee, renowned paediatrician, attached to Kolkata Medical College, to assist us in the proceedings. Dr. Banerjee is present.</p> <p>The experts present at the panel are unanimous of the view, the medical records would not suggest any medical negligence. However, this is our prima facie view. The</p>

complainants are free to approach the appropriate authority questioning the treatment protocol if they so want.

The couple raised various issues on hospital negligence. The way, they narrated their ordeal, would definitely inspire confidence in us. At the same time, we are unable to conclusively hold as against the CE in absence of any evidence to the said effect.

Mr. Komal Dashora representing the CE, would defend the CE by denying each and every allegation on hospital negligence.

We feel, interest of justice would be sub-served if the couple would approach the appropriate authority questioning the treatment protocol if they so want. At this stage, we are unable to give any relief to the complainant. If they are successful they would be at liberty to approach us afresh.

We direct the CE to send a letter of regret and condolence to the complainant for the unfortunate death

of the twin babies.

The complaint 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.B.*

Secretary  
West Bengal Clinical Establishment  
Regulatory Commission

*1/10*