

Case Reference: INT/DELHI/2022/132

Ms. Rhea Nath Complainant

vs

Atlas Health Point, Sonarpur & Satyarani Memorial Nursinghome and Diagnostic Centre
..... Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	04/07/2022	<p>The patient was critically ill. He was a chronic diabetic and had kidney disease followed by acute onset of fever and cough worsening the situation. The patient was drowsy when he was admitted at Satyarani. After preliminary treatment he was shifted to Atlas Health Point, Sonarpur where he was there for three days. He breathed his last on the third day of admission.</p> <p>On perusal of medical record, the experts are of the unanimous of the opinion, the patient was critically ill however, the questioning of treatment protocol would be outside our domain. The complainant would be free to approach the appropriate authority.</p> <p>The complainant would also raise issue pertaining to</p>




Secretary
West Bengal Clinical Establishment
Regulatory Commission

		<p>hospital negligence. It appears that the patient was admitted on April 17, 2021 and he breathed his last on April 19, 2021. No covid test was done. The CE would contend, they sent sample on the next day i.e, on April 18, 2021 whereas the covid test should have been done at the time of admission that was not followed. The concerned physician advised Nephrological consultation that was ignored. The CE would contend, they have Nephrologist on their pay roll however, advice was given at 3.14 pm on April 18, 2021. By that time, Nephrologist already completed his round and he was supposed to come on the next day.</p> <p>We are not convinced by the explanation offered by the CE. From the medical records, it appears, at the time of admission the patient was having acute Kidney problem. The patient should have been admitted under a Nephrologist that was not done. The Nephrologist was called long after the admission. We are not sure, whether his intervention would have helped the situation or not however, the negligence on the part of the CE is apparent.</p>
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			<p>We impose a penalty of Rs. 50,000/- on the CE.</p> <p>We permit the complainant to come back afresh if he is successful before the appropriate authority on treatment protocol.</p> <p>The complainant is directed to share his bank details so that money could be transferred to his account. Ms. Mohua Jana, representing the CE, would express financial difficulty. We permit them to pay the said sum by four equal monthly instalments commencing from July 15, 2022 and thereafter on the 15th day of each succeeding month.</p> <p>In default of payment of any one instalment balance sum then due, would become immediately payable together with the interest @ 7 percent per annum until realization.</p> <p>The complaint is disposed of.</p> <p>Sd/- The Hon'ble Chairperson</p> <p><i>Authenticated</i></p> <p><i>[Signature]</i></p>
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[Signature]

			<p>Sd/-</p> <p>Prof. (Dr.) Sukumar Mukherjee – Member</p> <p>Sd/-</p> <p>Prof. (Dr.) Makhan Lal Saha – Member</p> <p>Sd/-</p> <p>Dr. Maitrayee Banerjee – Member</p> <p>Sd/-</p> <p>Smt Madhabi Das – Member</p> <p><i>Authenticated</i></p> <p><i>[Signature]</i></p> <p>Secretary West Bengal Clinical Establishment Regulatory Commission</p>
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