

Office of the West Bengal Clinical Establishment Regulatory Commission
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Case Reference: INT/WMID/2022/146

Mr. Soumendu Dey Complainant

vs

Spandan Advance Medicare Pvt. Ltd..... Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	3.	01/08/2022	<p>This complainant came to us complaining about use of expired medicine in case of his father's treatment. The complaint was filed on December 20, 2020. We disposed of the complaint on January 15, 2020. Finding justification in the complaint, we penalised the CE for Rs. 10,00,000/-. He has already received Rs. 5,00,000/- as his share and the balance sum of Rs. 5,00,000/- has been donated to Ramakrishna Mission for Ekalabya Vidyapith, Paschim Medinipur as per the direction of the Commission. The CE has also paid the said sum to Ramakrishna Mission as we find from the receipt disclosed herein.</p> <p>The complainant has again come up with a second</p>

complaint on the self same issue vide his complaint dated July 13, 2020. He would complain, the CE harassed him by not supplying necessary papers that would be needed to support his insurance claim. The CE initially contended, they lost all the papers. Subsequently, they furnished photocopies as would be evident from the receipts dated January 22, 2022 and May 27, 2022. The CE has also expressed their inability to give any further record as according to them whatever they had, have already been furnished to the complainant.

The complainant has not approached the insurance company with those papers. Let him do so.

We direct the CE to render all necessary assistance that the insurance company would be requiring to consider his application for reimbursement.

Paramount is the consultant TPA. We request Paramount to consider the photocopies that the complainant is having as secondary evidence as the CE does not have original papers at present, as contended by

them in the response dated July 28, 2022. Let the complainant furnish a copy of the response of the CE to the concerned TPA to support such fact.

The complainant would also raise medical issue with regard to the death of his father. Such issue was not before us when he made the initial complaint. He would be free to approach the appropriate authority questioning such treatment protocol if he is so entitled to.

The complaint is disposed of.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Prof. (Dr.) MakhanLalSaha – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Smt Madhabi Das – Member

Authenticated
[Signature]

Secretary
West Bengal Clinical Establishment
Regulatory Commission