

Office of the West Bengal Clinical Establishment Regulatory Commission

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**Case Reference: INT/PUB/2022/153**

Mr. Avilash Panja..... Complainant

vs

Medidawn Life Science Pvt. Ltd., Burdwan..... Respondent/ Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	29/08/2022	The complainant took his mother for clinical consultation at the CE. The concerned doctor advised several pathological tests including the blood group. As per the advice, the CE collected the blood sample from the patient and ultimately furnished reports including blood group that was determined as “A” positive. On the basis of such report, patient had undergone surgery of hip replacement at a different CE. Patient also needed blood transfusion and at the time of transfusion it was found that the patient’s blood group was “B” positive and not “A” positive as wrongly determined by the CE above named. The problem could be avoided by giving right blood to the patient.



  
Secretary  
West Bengal Clinical Establishment  
Regulatory Commission



		<p>The complainant has thus come with his complaint. On receipt of the complaint, the CE already apologised to the complainant. However, the complainant is not happy with the same. He would demand appropriate punishment including cancellation of licence. Pertinent to note, criminal case is also pending at the instance of the complainant.</p> <p>The complainant's wife, who is present online, would contend, the tremendous trauma that the patient family had to suffer on that night when the patient was undergoing surgery at the different CE, must be taken into consideration while giving appropriate punishment to the CE.</p> <p>The representative of the CE would, however, contend, they should be exonerated for the mistake that has crept in, in view of fact, another person by the same name also had her sample tested on the same day. The patient name was Ms. Rina Panja and the other report that was given to her, was actually meant for patient Ms. Rina</p>
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 Secretary  
 West Bengal Clinical Establishment  
 Regulatory Commission



		<p>Samanta.</p> <p>The partner of the CE present online, would contend, they already approached the complainant and tendered apology for the mistake hence, they should not be imposed any punishment.</p> <p>There might be a mistake on the part of the CE, however, the fact was disastrous. The trauma that the patient family had gone, cannot be ignored. In our view, despite the fact that the CE apologised for the mistake they must be penalised by directing payment of monetary compensation.</p> <p>The complainant would pray for cancellation of license. Since it is a first time offence reported to us we do not wish to venture for the same. We direct payment of Rs. 30,000/- as compensation to the complainant on sharing of his bank details.</p> <p>The complainant would be at liberty to accept the same. In case he would accept the said sum we hope and trust, they would not be proceeding further on the self</p>
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		<p>same issue including perusing the criminal case.</p> <p>With the above direction, the complaint is disposed of.</p> <p>Sd/-</p> <p>The Hon'ble Chairperson</p> <p>Sd/-</p> <p>Prof. (Dr.) Sukumar Mukherjee – 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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