

Office of the West Bengal Clinical Establishment Regulatory Commission

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**Case Reference:INT/KOL/2022/170**

**Mr. Olive Kumar Ghosh..... Complainant**

**vs**

**Eskag Sanjeevani, Bagbazar..... Respondent/ Respondents**

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	21/09/2022	<p>The complaint would relate to billing.</p> <p>The complainant would contend, he wanted to have his mother Smt. Rani Ghosh admitted at the CE under WBHS. At the time of admission, the CE declined to accept the patient under WBHS category and compelled him to admit her as a cash patient.</p> <p>Mr. Kaushik Ghosh representing the CE, would deny such contention. According to him, the complainant never disclosed his identity as a Government Employee having enrolled under WBHS. According to Mr. Kaushik Ghosh, such WBHS Card was produced at the time of discharge. Hence, they could not entertain the same.</p>




		<p>Initially, the dispute was referred to the Finance Department, State of West Bengal. A tripartite meeting was held where it was decided that the total cost of treatment would be approved at Rs. 1,14,733/- and the excess amount of Rs. 1,23,195/- would be refunded back to the complainant. Mr. Kaushik Ghosh would contend, the patient was admitted as a cash patient. She was discharged as a cash patient and the CE realised a sum of Rs. 2,50,875/- as cost hence, there could not be any question as to refund of Rs. 1,23,195/- or any part thereof.</p> <p>The bill is not before us. Mr. Olive Ghosh would fairly concede, he has no contemporaneous evidence to prove, at the time of admission WBHS Card was produced at the CE. The patient was too critical hence, he was compelled to admit her as a cash patient. He immediately informed Mr. Alok Mukherjee, Joint Secretary, Finance Department, State of West Bengal over phone on the next day of admission.</p> <p>Tripartite agreement is produced before us where it</p>
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*Handwritten signature*



		<p>is recorded that the Hospital shall refund the excess amount. Dr. Nirmal Kumar Samanta, Medical Officer and Mr. Deepak Kumar Dutta represented the CE as would appear from the document, their signatures are appearing therein.</p> <p>While it is true, Mr. Olive Ghosh is not in a position to produce any document as evidence. It is also true that the resolution of the meeting dated November 26, 2021 categorically recorded, hospital agreed to refund the amount.</p> <p>We wish to direct refund of the amount that Mr. Kaushik Ghosh declines.</p> <p>Mr. Mondal, representing the Finance Department, wishes to take appropriate action against the CE for blatant violation of the resolution dated November 11, 2021.</p> <p>State would be at liberty to take appropriate measure as against the CE in accordance with law.</p>
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The complaint is disposed of.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Smt Madhabi Das – Member

*Authenticated*

*[Signature]*  
Secretary  
West Bengal Clinical Establishment  
Regulatory Commission