

Case Reference:INT/KOL/2022/199

Mr. Gobinda Dey Complainant

VS

R Flamming Hospital..... Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	16/11/2022	<p>This complaint would mainly relate to medical negligence. The 25 old girl died having a history of high fever.</p> <p>Our esteemed member of the panel, Dr Sukumar Mukherjee, is of the opinion that the death certificate was not properly given. The real cause of death has not been properly spelt out. It is a fit and proper case, appropriate authority must scrutinise the medical records and take a decision in this regard.</p> <p>We permit the complainant to approach the appropriate authority questioning the treatment protocol. In case he is successful therein he would be at liberty to</p>

apply afresh.

We have examined the bill. There are violations of Advisory galore.

Mr. Khan would justify by saying, their software programming is yet to be updated.

Our Advisories are issued from time to time. Some of them are more than one year old. Yet, the CE has not updated their software. Mr. Khan would pray for five days' time to upgrade the same. For ends of justice, we give him an opportunity to do so. Let him file an affidavit through the owner of the CE, positively within a week from date to the effect, the software programming has been changed giving regard to our Advisories in their true letters and spirit.

Coming back to the present bill, we find, a sum of Rs. 15,620/- has been found charged in excess. Mr. Khan would submit, out of total sum of Rs. 72,972/- the TPA has already sanctioned a sum of Rs. 67,972/- and the complainant paid a sum of Rs. 5,000/-.



We direct the CE to refund the said sum of Rs. 5,000/- immediately on sharing of bank details by the complainant.

The complainant also contends he had to pay Rs. 6,500/- on account of packed cell.

In course of transfusion, the patient breathed her last. However, the unused packed cell could not be sent back to the blood bank. Hence, we do not direct any refund on that count.

The complaint is disposed of accordingly.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Prof. (Dr.) Makhan Lal Saha – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Sri. Sutirtha Bhattacharya, IAS (Retd)- Member

Sd/-

Smt Madhabi Das – Member