

Office of the West Bengal Clinical Establishment Regulatory Commission
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Case Reference: INT/KOL/2022/219

Mr. Dipankar Chakrabarti **Complainant**

vs

Charnock Hospital and Spandan Hospital, VIP Road **Respondent/
Respondents**

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	23/12/2022	<p>The complainant was not present when the matter was called on. Our office rang up when he assured us, he would be joining within 10-15 minutes, so we passed it over and took up the next matter.</p> <p>Now the matter has again been called up as a last matter of today. He is not present. We try to contact him over phone. He does not pick it up. We are thus constrained to hear and dispose of the complaint in his absence.</p> <p>The complaint would relate to unfortunate death of a young girl of 31 years old. The complainant himself is a</p>



doctor. He initially took his daughter to Charnock hospital. The patient came in a gasping condition. She had acute liver disease. Whatever initial emergency treatment was required, was given. The patient was intubated and was referred to higher setup.

The complainant would contend, the doctor who attended the patient at the Emergency, did not have appropriate expertise to intubate the patient.

Initially he contended, the concerned doctor did not have any registration. Subsequently he withdrew such allegation and contended, the concerned doctor did not have appropriate expertise.

The hospital has submitted its response where they would contend, the concerned doctor was having his registration that has been submitted to us.

The patient was taken to Spandan hospital where she was admitted and treated accordingly. The complaint relating to Spandan would principally relate to

		<p>questioning the treatment protocol that would be clearly outside our domain.</p> <p>The Spandan has also submitted its response.</p> <p>The main reason for referral by Charnock was absence of Gastroenterologist. The incident happened during first phase of Covid. Charnock did not have any Gastroenterologist at that time hence, they referred the patient to higher setup having appropriate expertise.</p> <p>As soon as Spandan had received the patient they admitted her at the ICU under Dr. Soumitra Das. Whatever necessary treatment was required, was given. Despite best effort given by the treating team the patient could not survive.</p> <p>We have considered the complaint. In our view, the principally complaint would relate to questioning the treatment protocol that would be clearly outside our domain. The complainant would be free to approach the appropriate authority against the treating team</p>
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questioning treatment protocol, if he so desires.

As we do in all other cases, we have examined both the bills. The patient was in Charnock for a brief period. Intubation was done and emergency medicines were given. The patient was billed for Rs. 1,700/-. We do not find any scope to interfere.

We have examined bill of Spandan Hospital where we would find some amount charged in excess. We have shared of our calculation with Spandan. They agree to refund a sum of Rs. 17,438/- charged in excess, to the complainant.

Spandan is directed to prepare an account payee cheque and send it to complainant within a week from date.

The complaint is disposed of.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member



			<p>Sd/- Prof. (Dr.) Makhan Lal Saha – Member</p> <p>Sd/- Dr. Maitrayee Banerjee – Member</p> <p>Sd/- Smt Madhabi Das – Member</p>
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Authenticated

[Signature]

Secretary
West Bengal Clinical Establishment
Regulatory Commission

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