

Office of the West Bengal Clinical Establishment Regulatory Commission

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**Case Reference: INT/KOL/2023/031**

Mr. Rashid Hassan... ..... Complainant

VS

Medica Superspecialty Hospital..... Respondent/ Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	22/03/2023	<p>We have heard the complaint. The patient aged about 69 years was admitted for onco surgery in a case of oral cancer. The surgery was uneventful. The surgery planned, was excretion of tumour and reconstruction of Squamous. The first flap did not survive requiring a second flap surgery that was done. The patient became critical and was treated for 19 days and died.</p> <p>The patient was billed Rs. 19.19 lakhs. The complainant paid Rs. 3.5 lakhs being the package amount for the first surgery, no further payment was made for the subsequent treatment. The CE however, continued the treatment till his death as claimed by the surgical team as well as administration representing the</p>





		<p>CE.</p> <p>The complainant would contend, they went for the surgery for a package hence, they should not be compelled to pay any further sum.</p> <p>The complainant would contend, he has no grievance as against the treating team, that he has expressed in so many wards.</p> <p>No medical complaint has been filed before the Medical Council as informed to us.</p> <p>He made criminal complaint before the police against the CE.</p> <p>Subject complaint was lodged with us when the patient was under treatment. During pendency of the complaint the patient died on February 20, 2023.</p> <p>Today, the complainant would contend, they are not in a position to pay any sum. They would pray for waiving of the entire unpaid bill in lieu of their assurance that they would not proceed further before</p>
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any authority either against the CE or the treating team.

Such stand, in our view, is neither reasonable nor prudent. We have repeatedly asked the complainant as to what extent they would be in a position to pay the unpaid bill. We have also assured them that we would definitely consider the case compassionately and would be keen to grant easy instalment so that the money could be paid by them in a phased manner. We have also requested the CE to grant them substantial discount.

Mr. Dashora, has made it clear, unless and until they would withdraw all their complaints as against the CE as also the treating team the CE would not be extending any further support to the bereaved family.

Mr. Dashora would pray for liberty to the CE to proceed against the complainant for recovery of the balance sum in accordance with law.

At this stage, Mr. Rashid would inform us, they could at best pay Rs. 50,000/- to Rs. 60,000/-. We do not feel inclined to accept such offer.





			<p>We reject the complaint.</p> <p>The CE is free to protect their interest in accordance with law.</p> <p>Sd/-</p> <p>The Hon'ble Chairperson</p> <p>Sd/-</p> <p>Prof. (Dr.) Sukumar Mukherjee – Member</p> <p>Sd/-</p> <p>Prof. (Dr.) Makhan Lal Saha – Member</p> <p>Sd/-</p> <p>Dr. Maitrayee Banerjee – Member</p> <p>Sd/-</p> <p>Sri. Sutirtha Bhattacharya, IAS (Retd)- 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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