

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference: INT/KOL/2023/057

Mr. Utsab Sen Complainant

vs

Medica Superspecialty Hospital..... Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	03/05/2023	<p>We have heard the parties at length.</p> <p>In course of hearing, Mr. Kostab Mukhejee, Learned Advocate, representing the complainant would seek liberty to disclose a hand written chit used in course of treatment by the concerned cardiothoracic surgeon involved in the process of surgery.</p> <p>Mr. Dashora, representing the CE, would also seek liberty to disclose the BHT that unfortunately has not been shared by the CE.</p> <p>We grant both of them liberty as asked for. Parties are directed to share the documents, as prayed for, by tomorrow.</p>



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1



We initially wanted to postpone the examination of the hospital negligence till we get a positive response from the West Bengal Medical Council. Pertinent to note, the complainant has also approached the West Bengal Medical Council vide application dated March 25, 2023. Mr. Mukherjee, would insist that we should consider the hospital negligence independent of the medical negligence.

We have heard both of them accordingly.

Mr. Komal Dahsora, representing the CE, would also raise an issue pertaining to wide allegations made by the friends and relatives of the patient as against the CE in the social media.

Mr. Mukherjee, on instruction has expressed regret for the same and would assure us, no such post would be made in future as against the CE.

We also request Mr. Mukherjee to see whether the earlier posts could be removed from the social media by using technology.

Hearing is concluded. Judgment is reserved.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Sri. Sutirtha Bhattacharya, IAS (Retd)- Member

Sd/-

Smt Madhabi Das – Member

Authenticated

Secretary
West Bengal Clinical Establishment
Regulatory Commission