

**Case Reference: INT/KOL/2023/071**

Eskag Sanjeevani..... Complainant

vs

Mr. Shyamal Pal (Husband of the Patient)..... Respondent/  
Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	03/05/2023	<p>Under Section 38 of the West Bengal Clinical Establishments (Registration, Regulation and Transparency) Act, 2017 we are to regulate the entire private health sector of the State. As a part of our duty, we also decide on the complaint made by the patient or patient family on hospital negligence. This particular complaint has come from the CE.</p> <p>The facts would reveal, one Ms. Nupur Paul aged about 46 years was admitted at the CE on December 26, 2022 at about 12.30 pm with the complaint with the history of urination disorder, bleeding and other co-morbidities. The patient had under gone surgery and recovered therefrom.</p>

The problem started when the patient was about to be discharged the patient family declined to take her back as they could not master enough resource to pay the hospital bill. The daughter of the patient also approached Commission through its Secretary. We intervened to solve the problem when the patient family got the patient discharged on payment of a sum of Rs. 4.36 lakhs paid by post dated cheque dated April 03, 2023 that was ultimately dishonoured for non payment with the remark "payment stopped by the drawer" as contended by the CE.

From the records it appears that patient was advised discharge on January 9, 2023 however, the actual discharge took place on March 6, 2023.

The daughter of the patient however, has given a different story to us over phone. She narrated the ordeal that the patient had suffered due to her over stay. It was alleged, the hospital forced the patient to do odd jobs at the CE to compensate her over stay at the hospital. However, Mr. Priyoboto Roy, Associate Manager (Administration), representing the CE, would deny such

assertion.

We received the complaint from the CE on April 12, 2023 seeking our intervention.

Our office has called up Mr. Samrat Chakraborty, the drawee of the cheque, who has expressed his inability to appear at the hearing.

We have heard the CE. We permit the CE to take due process of law for recovery of their unpaid dues.

The complaint is disposed of accordingly.

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

*Auther Heato*  
*17/11*  
Secretary  
West Bengal Clinical Establishment  
Regulatory Commission