

Office of the West Bengal Clinical Establishment Regulatory Commission
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Case Reference: INT/NPG/2023/073

Mr. Dipjit Nandy Complainant

vs

Tulip Nursing Home, R.B.C Road and Spandan Hospital, Teghoria.....
Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	29/05/2023	<p>The complaint would relate to hospital negligence. The facts would reveal, the patient suffered an accident that required orthopaedic intervention. He was initially admitted at Tulip Nursing Home and was conservatively managed. Subsequently, he was transferred to Spandan Hospital under Dr. Dinesh Kumar Jaiswal who did the surgery.</p> <p>There had been post surgical complication as both the implants fixed in the left and right hand were broken after about eight months and patient had to undergo further surgery for removal of the broken implant to be</p>

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		<p>replaced by plate.</p> <p>The complainant would contend, the CE must be held responsible for the poor quality of implant .</p> <p>We have heard the complainant in detail. We have also heard Spandan Hospital. It reveals, particular implant was suggested by the concerned orthopaedic surgeon and the hospital had no role to select the implant. The hospital paid the price as per the invoice raised by the concerned company who supplied the implant.</p> <p>It also reveals, the curative surgery was also done by using implant of the same manufacturer. The complainant would contend, he did not know this fact as the doctor did not properly counsel him or his family before the surgery. The second surgery being left hand surgery was done at a different establishment.</p> <p>The complaint would relate to poor quality of the implant hence, the CE must not be blamed for the same. The complainant would be free to approach appropriate</p>
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forum as against the implant company or the doctor as the case may be.

With the above observation we dispose of the complaint.

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 S. K. Thade, IAS (Retd) – Member

Sd/-

Smt Madhabi Das – Member

Authenticated
[Signature]

ARSHAD HASAN WARSI
WBCS (Ex)
Secretary
W. B. C. E. R. C.

[Handwritten mark]