

**Case Reference: INT/KOL/2023/096**

Mr. Chanchal Kumar Maiti ..... Complainant


vs

Fortis Hospital, Health Point and Woodlands Hospital..... Respondent/  
Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	06/06/2023	<p>The complaint would relate to medical negligence.</p> <p>The complainant's daughter suffered a road accident that required orthopaedic intervention. The patient initially visited OPD of Fortis Hospital where Dr. Gourab Gupta examined the patient and advised surgery. The complainant wanted to have the patient admitted under WBHS at Fortis. However, Dr. Gourab Gupta did not agree.</p> <p>As per his advise, the complainant approached Health Point Nursing Home for surgery and got his daughter admitted therein as a cash patient. Surgery was done that had post surgical complication as wound did</p>



  
21/06/2023.

not heal up.

The complainant would contend, they paid the hospital bill. However, the surgeon fees paid to Dr. Gupta for Rs. 90,000/- was not accounted for in the bill.

Mr. Trithankar Das, Assistant Manager, representing Health point nursing home, would contend, Dr. Gupta was consultant orthopaedic surgeon. He brought the patient. As per his advise, the patient was admitted and surgery was done. They did not raise any bill for the surgeon fee as it was a private arrangement between the surgeon and the patient family. Since they did not charge any amount as surgeon fees they are not in a position to issue any bill for the same. At the request of the complainant, they requested Dr. Gupta to issue the same to which Dr. Gupta declined.

The third establishment involved herein, is Woodlands where as per the advice of Dr. Gupta the patient visited Dr. Anupam Golas, plastic surgeon at his OPD.

AP

S.P. [Signature]  
21/06/2023.

The complainant would contend, they went for surgical consultation for which they paid required fee of Dr. Golas. However Dr. Golas, without their consent, did some surgical intervention that made the patient's condition worse.

According to Dr. Golas, while examining the wound he removed the dead tissues and did the dressing. It was done in consultation with the patient family.

We have considered the rival contentions. The complainant would categorically contend, they do not have any complaint as against any of the CEs. Their main complaint would relate to the doctors being the Orthopaedic surgeon and plastic surgeon for which they should approach appropriate authority as medical negligence is outside our domain.

The complainant would be at liberty to approach the appropriate authority for the same.

The complaint is disposed of accordingly.



Sd/-  
The Hon'ble Chairperson

Sd/-  
Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-  
Prof. (Dr.) Makhan Lal Saha – Member

Sd/-  
Dr. Maitrayee Banerjee – Member

Sd/-  
Smt Madhabi Das – Member

*Authenticated*  
*S. P. Mukherjee*  
*21/06/2023*

Secretary  
West Bengal Clinical Establishment  
Regulatory Commission

*AP*