

Office of the West Bengal Clinical Establishment Regulatory Commission

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**Case Reference: INT/SPG/2023/136**

Mr. Buddhadeb Maity ..... Complainant

vs

Dakshinachal Swasthya Sadan, Joynagar..... Respondent/ Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	29/08/2023	<p>The complaint would relate to medical negligence.</p> <p>The complainant was admitted at the CE and she was treated under concerned doctor who diagnosed tuberculous pleural effusion on the left side based on X-ray and CT scan and a pleural fluid study; however mantoux test and Gene xpert of fluid are negative. Over and above, there was abdominal pain with a reported intra abdominal lump extending from Epigastrium to Hypogastrium nature of which is not clear. Subsequently patient had repeated collection of a left pleural sac following aspiration and more than 1.5 ltr have been aspirated over a period of time and the fluid contains raised protein with predominant lymphocytes. Sugar was</p>





		<p>low and a diagnosis of tuberculosis was suspected. She had to go for repeated aspiration of pleural fluid. She had one month treatment of anti-tubercular drug and she stopped ATD after 1 month because of persistent vomiting. Hence, she could not continue the second month of ATD as advised.</p> <p>In view of repeated vomiting and abdominal swelling she left for Bangalore and got herself examined at Manipal Hospital and there they found enlarged neck glands and abdominal and mediastinal glands and biopsy was done from Manipal Hospital. But no biopsy report is available to us. It was reported she had been diagnosed "High grade lymphoma" with obstructive jaundice and they also concurred that she had only one month of anti-tubercular drugs which was stopped and she was prescribed chemotherapy.</p> <p>We do not know what form of chemotherapy had been advised. Subsequently on way back home she died midway. No formal death certificate has been found in our records to indicate the cause of death and no post-</p>
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mortem examination had been done.

In view of the above, we do not find any proof of hospital negligence and as such we are unable to interfere.

The complainant would be free to approach the appropriate authority questioning the treatment protocol justification with ATD if he so desires.

With such observations 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. Sutirtha Bhattacharya, IAS (Retd)- Member

Sd/-

Smt Madhabi Das – Member

*Authenticated*  
*W.B.*

**Secretary**  
**West Bengal Clinical Establishment**  
**Regulatory Commission**

*Q*