

Office of the West Bengal Clinical Establishment Regulatory Commission
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Case Reference: INT/BIR/2023/132

Mr. Krishna Gopal Ghosh Complainant

vs

Mission Hospital, Dugapur..... Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	29/08/2023	<p>The complaint would principally relate to medical negligence.</p> <p>An elderly patient aged about 60 years had strangulated inguinal hernia with intestinal obstruction. She visited the clinician on June 13, 2023 with pain abdomen and vomiting. She was immediately referred to the concerned surgeon attached to Mission Hospital. The patient attended emergency on June 14, 2023 at about 9.30 pm. Initially, the admission was delayed for want of vacancy in ICU. She was shifted to bed at 3 o'clock, early in the morning on the next day. The concerned surgeon examined the patient and advised immediate admission. The surgery was planned at the</p>



		<p>later part of the day on June 15, 2023. However it was preponed considering the condition of the patient. The surgery was uneventful however, the gangrene that was anticipated, was established by the removal of the damaged part of the ileum which was sent for biopsy. After a brief stay at the CE, the patient breathed her last on June 26, 2023.</p>
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While in ICU, she suffered multi organ failure following sepsis in the post operative period. She had dialysis on June 21, 2023.

The complainant would contend, the nephrology referral was made on June 23, 2023. The CE would strenuously deny such contention. According to them, the nephrologist examined the patient on June 21, 2023.

The complainant would subsequently contend, since the patient had pain abdomen there should have been Gastro referral that was ignored by the Emergency Officer as well as the concerned surgeon.

Our esteemed members of the panel are prima-facie

of the view, immediate surgery was the right approach and the concerned surgeon did so. However, our opinion is absolutely prima-facie and must not prejudice the pending proceeding before the West Bengal Medical Council.

We also understand, the complainant has also approached the West Bengal Medical Council as against the concerned surgeon.

We direct the CE to co-operate with the complainant by furnishing medical records that they are yet to receive.

We permit the complainant to give the particulars of the records that they would want for their perusal.

CE is directed to share the medical records as and when asked for.

We hope the money would be transferred at once on receipt of the bank details.

We also grant liberty to the complainant to approach us again, in case they would succeed before the West

Bengal Medical Council.

While examining the bill, we have pointed out the irregularity and shared our calculation. Dr. Paul representing CE, in his usual fairness would offer refund of Rs. 40,500/- to the complainant on sharing of his bank details.

The complainant should share his bank details with the CE.

We hope the money would be transferred at once on receipt of the bank details.

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/-
Sri. Sutirtha Bhattacharya, IAS (Retd)- Member

Sd/-
Smt Madhabi Das – Member

Authenticated
[Signature]
Secretary
West Bengal Clinical Establishment
Regulatory Commission

[Handwritten mark]