DMC/DC/F.14/Comp.2117/2/2021/ 30th September, 2021

**O R D E R**

The Delhi Medical Council through its Disciplinary Committee examined a complaint of Shri Sayed Abdul Halim Akhtar r/o H.No. F-126, Satbari Karak, Vill. Chattarpur, New Delhi-110074, alleging medical negligence on the part of Dr. Vijay Hungloo of Batra Hospital, Tughlakabad Institutional Area, Mehrauli Badarpur Road, New Delhi-110062, in the treatment administered to the complainant at Batra Hospital.

The Order of the Disciplinary Committee dated 26.08.2021 is reproduced herein-below :-

The Disciplinary Committee of the Delhi Medical Council examined a complaint of Shri Sayed Abdul Halim Akhtar r/o H.No. F-126, Satbari Karak, Vill. Chattarpur, New Delhi-110074 (referred hereinafter as the complainant), alleging medical negligence on the part of Dr. Vijay Hungloo of Batra Hospital, Tughlakabad Institutional Area, Mehrauli Badarpur Road, New Delhi-110062 (referred hereinafter as the said Hospital), in the treatment administered to the complainant at Batra Hospital.

The Disciplinary Committee perused the complaint, written statement of Sheela Datt, Medical Superintendent, Batra Hospital and Medical Research Centre enclosing therewith written statement of Dr. Vijay Hangloo, copy of medical records of Batra Hospital and Research Centre and other documents on record.

It is noted that the complainant Shri Sayed Abdul Halim Akhtar instead of participating in the hearing, has sent a representation withdrawing his complaint. The Disciplinary Committee observed that it would not be appropriate to entertain such application at this stage and decided to proceed with the hearing in order to determine this matter on merits.

The following was heard in person :-

1) Dr. Vijay Hungloo Consultant Surgeon, Batra Hospital

The Medical Superintendent, Batra Hospital failed to appear before the Disciplinary Committee, inspite of notice.

The Disciplinary Committee noted that the complainant Shri Sayed Abdul Halim Akhtar in his complaint alleged that he was suffering from burning sensation while passing stool. He had an appointment with his regular gastroenterology doctor of reputed Delhi, Escort Hospital. Finally, gastroenterology doctor examined and told him that he is suffering from anal fissure problem and advised him to consult with the surgeon, so he met Dr. Vijay Hungloo who is surgeon in Batra Hospital in New Delhi. Dr. Vijay Hungloo examined and told the complainant that he is suffering from anal fissure and advised him for the surgery. Initially, he was not interested for the surgery. But, Dr. Vijay Hungloo told him (the complainant) that do not avoid this operation otherwise he (the complainant) will face more complication in future. Lastly upon Dr. Vijay Hungloo’s advice, he agreed for the operation but before the surgery, he met a number of times with him (Dr. Vijay Hungloo) and asked him (Dr. Vijay Hungloo) for any complication. After the surgery, Dr. Vijay Hungloo said that do not worry and he (the complainant) will be alright within 10-15 days. After the operation, he (the complainant) can go back to his office within a week with normal routine. Dr. Vijay Hungloo operated and did his surgery of anal fissure and the same time he (Dr. Vijay Hungloo) had done haemorrhoids surgery without any information given only to make the money. Most important after the surgery when he saw the paper of the surgery, he was shocked to see that Dr. Vijay Hungloo had written wrong symptoms which he never had before. He was restless and having pain like anything and even bleeding for a week. Very regretfully, states that even after more than four months his position was worsted than before the surgery. Lastly, he was compelled to go AIIMS Hospital, New Delhi in the surgery department. The doctor of the AIIMS was surprised as to why Dr. Vijay Hungloo had done unwanted haemorrhoids surgery without any reason. Due to the wrong surgery now, he is completely disheartened and facing a problem like anything. Dr. Vijay Hungloo spoiled his carrier and played inhuman role with him, despite spending a lot. He, therefore, requests the Delhi Medical Council to look in to this matter (complaint) very sympathetically and call Dr. Vijay Hungloo and cancel his registration number to practice and tell him to return the total mount with penalty, because he has been suffering for the last four months without work, not going to office regularly.

Dr. Vijay Hungloo, Surgeon General Surgery, Batra Hospital in his written statement averred that the complainant Shri Sayed Abdul Halim Akhtar was admitted in their hospital on 30th January, 2017 for the surgery of haemorrhoids and fissure. The complainant had been examined before the admission and was diagnosed with haemorrhoids and fissures. The symptoms recorded are the symptoms which the complainant narrated himself. The complainant met him alongwith his (the complainant) father before the surgery and was advised haemorrhoidectomy and fissurectomy. The complainant made a choice for stapler haemorrhoidectomy and fissurectomy. The cost of the operation and stapler was explained to the complainant. The complainant was admitted on 30th January, 2017 and operated upon after taking his (the complainant) consent for haemorrhoidectomy and fissurectomy. The complainant was subsequently discharged in stable condition. Post-op bleeding and pain about which the complainant has mentioned post-surgery is normal after this operation and settles in times with post-op medications. The stricture after haemorrhoidectomy is a known complication of stapler haemorrhoidectomy and occurs in some percentage of the patients. Since it is a low anal stricture, it can cause constipation which the complainant never had post-op. The stricture also does not disturb normal routine and is manageable. No unwanted operation was done on the complainant. The complainant was treated as per his (the complainant) disease with his (the complainant) consent and choice of the operations.

In view of the above, the Disciplinary Committee makes the following observations:-

1. It is noted that the complainant Shri Syed Abdul Halim, 27 years old male was admitted in the said Hospital on 30th January, 2017 with complaints of bleeding per rectum, associated with pain and blood in stool. He also had complains of burning sensation in stool. There was no history of fever or trauma. He was known case of IBS and Hypothyroidism. He was diagnosed as case of anal spasm, haemorrhoids, fissure in Ano and underwent the surgical procedure of Anal Dilatation with staple Haemorrhoidectomy with fissurectomy under consent on 18th January, 2017. The surgery was performed by Dr. Vijay Hangloo. The complainant was discharged on 31st January, 2017. The complainant subsequently suffered from Anal Canal Stricture.
2. It is observed that surgical procedure of anal dilatation with staple Haemorrhoidectomy with fissurectomy in a diagnosed case of anal spasm, haemorrhoids and fissure in Ano, was warranted and was done under consent, as per accepted professional practices in such cases. Further, medical condition of Anal Canal stricture is known complication of such a surgical procedure.
3. It was also observed that there were certain shortcomings in the documentation of the case which should be taken seriously and should be avoided, in future.
4. The Discharge Summary dated 31st January, 2017 which shows admission on 30th January, 2017 and discharge on 31st January, 2017, mentions that the complainant was taken-up for the surgery on 18th January, 2017.
5. There is no mention of Grade of Haemorrhoids or position of haemorrhoids which dictated the modality of the treatment.
6. The operative notes do not mention the procedure done for fissure in detail.

In light of the observations made herein-above, it is the decision of the Disciplinary Committee that no medical negligence can be attributed on the part of Dr. Vijay Hungloo of Batra Hospital, in the treatment administered to the complainant at Batra Hospital. He is, however, advised to exercise due diligence in record keeping, as the same is an integral part of good medical practice.

Complaint stands disposed.

Sd/: Sd/: Sd/:

(Dr. Maneesh Singhal) (Dr. G.S. Grewal) (Dr. Amit Gupta)

Chairman, Delhi Medical Association, Expert Member

Disciplinary Committee Member, Disciplinary Committee

Disciplinary Committee

The Order of the Disciplinary Committee dated 26th August, 2021 was confirmed by the Delhi Medical Council in its meeting held on 23rd September, 2021.

By the Order & in the name of

Delhi Medical Council

(Dr. Girish Tyagi)

Secretary

Copy to :-

1. Shri Sayed Abdul Halim Akhtar r/o H.No. F-126, Satbari Karak, Vill. Chattarpur, New Delhi-110074.
2. Dr. Vijay Hungloo, Batra Hospital, Tughlakabad Institutional Area, Mehrauli Badarpur Road, New Delhi-110062.
3. Medical Superintendent, Batra Hospital, Tughlakabad Institutional Area, Mehrauli Badarpur Road, New Delhi-110062.

(Dr. Girish Tyagi)

Secretary