DMC/DC/F.14/Comp.2701/2/2023/ 21st February, 2023

**O R D E R**

The Delhi Medical Council through its Disciplinary Committee examined a complaint of Shri Ramnarayan s/o Shri Shankar Lal r/o C-325, Budh Nagar Inderpuri, New Delhi-110012, alleging medical negligence on the part of Dr. Girish Tiwari, L-150 A, Pipali Wali Gali, Metro Pillar No. 182, Shashtri Nagar, New Delhi-110052, in the treatment administered to the complainant.

The Order of the Disciplinary Committee dated 16th January, 2023 is reproduced herein-below :-

The Disciplinary Committee of the Delhi Medical Council examined a complaint of Shri Ramnarayan s/o Shri Shankar Lal r/o C-325, Budh Nagar Inderpuri, New Delhi-110012 (referred hereinafter as the complainant), alleging medical negligence on the part of Dr. Girish Tiwari, L-150 A, Pipali Wali Gali, Metro Pillar No. 182, Shashtri Nagar, New Delhi-110052, in the treatment administered to the complainant.

The Disciplinary Committee perused the complaint, written statement of Dr. Girish Tiwari, copy of medical records of NKS Hospital and other documents on record.

The complainant Shri Ramnarayan failed to appear before the Disciplinary Committee, inspite of notice.

Dr. Girish Tiwari, Physician presented himself before the Disciplinary Committee and was heard in person.

In the interest of justice, the Disciplinary Committee decided to proceed with the matter in order to determine it on merits.

The complainant Shri Ramnarayan in his complaint has alleged that he was suffering from piles. On 07th September, 2018, he went to Dr. Girish Tiwari who is practicing doctor having specialty in piles, fisher, fistula, etc., have its office at L-150 A, Pipal Wali Gali, Metro Pillar No.-182, Shashtri Nagar, New Delhi-110052 and also is the member of the D.M.A. North Zone and Indian Medical Association, having registration No.-69956 D.M.C. Dr. Girish Tiwari after examination advised him (the complainant) to take an injection of Piprasol and assured to him that within few days his piles will have been cured and Dr. Girish Tiwari charged Rs. 20,000/- for him for giving the treatment. After taking the treatment, his piles were not cured, as bleeding was regularly came from his drain at the time of the natural call. He visited Dr. Girish Tiwari but he (Dr. Girish Tiwari) again gave assurance to him (the complainant) that he (the complainant) has not to worry and he will get relief soon. When the bleeding was not stop and blood with pus continually come then he went to NKS Hospital, Gulabi Bagh, Delhi-110007 where on 19th September, 2018, he was admitted. During his treatment on 26th September, 2018, Dr. Parveen Kumar was operated to him and he remained in hospital till 04th October, 2018. Due to the treatment of Dr. Parveen Kumar, his life could be save otherwise his life would be ruined. The doctors of NKS Hospital told him that which injection was given to him by Dr. Girish Tiwari, due to that, his perianal abcess with type HDM with HTN damaged. He has to spent more than rupees five lakhs on his treatment due to negligence of Dr. Girish Tiwari who was negligently treated him. It is requested that strict action be taken against Dr. Girish Tiwari.

Dr. Girish Tiwari, Physician in his written statement averred that on 07th August, 2018, the complainant Shri Ramnarayan came for consultation for complaints of bleeding per return. On careful physical examination, the complainant was found to have internal haemorrhoids without prolapse; the complainant was advised the sclerotheraphy alongwith thorough counseling was done regarding the procedure complications, outcomes and further home care. After taking the consent for the procedure, sclerotherapy was done under all aseptic precaution with utmost care. The procedure went uneventful and the complainant tolerated well. The complainant was explained about the medication, regarding maintaining hygiene, dietary advice, and also advised to follow-up after two weeks. As the complainant mentioned no such therapy with Piprasol was given. As the complainant mentioned that amount of Rs.20,000/- was charged, which is a false allegation. As the complainant was charged for 3,500/- (including consultation, procedure charges), the receipt regarding payment was also provided to the complainant. After few days, the complainant consulted again for rectal discharge and local skin excoriation on through history, it was observed that the complainant did not maintain hygiene around the affected area. The complainant was advised to consult the general surgeon for further management. As the complainant was from very poor economic background, all necessary arrangements including financial help were provided on human grounds. Overtime, as the complainant recovered from all the illness, the complainant approached him with allege intention to get some monetary benefits by wrongfully blackmailing and threat to defame him and also served him legal notice dated 31st January, 2019, for which, proper reply according channel was already been given dated 15th February, 2019. As a responsible citizen and medical professional, he completely denies all the allegations leveled against him. This is an attempt to defame a young and qualified doctor for the purpose of some monetary gains.

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

1. It is observed that the complainant Shri Ramnarayan, 55 years old male consulted Dr. Girish Tiwari on 07th September, 2018 who diagnosed him with grade II haemorrhoids with fissure in anal. The complainant underwent sclerotherapy under consent on 07th September, 2018 and was asked to review after two weeks and also to maintain hygiene, gave dietary advice and some medications. Since the complainant was not relived of his ailments, he was admitted in NKS Hospital on 19th September, 2018 where he was diagnosed as case of fistula in ano perianal abscess with type II DM with HTN (Hypertension). He underwent debridement with fistulectomy with drainage under GA on 26th September, 2018.
2. It is observed that the complainant was examined, investigated and treated as per accepted professional practices in such cases by Dr. Girish Tiwari. The complication of fistula in ano in a case of perianal abscess is a known complication.

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. Girish Tiwari, in the treatment administered to the complainant.

Complaint stands disposed.

Sd/: Sd/: Sd/:

(Dr. Maneesh Singhal) (Dr. Satish Tyagi) (Dr. Subodh Kumar)

Chairman, Delhi Medical Association Expert Member

Disciplinary Committee Member, Disciplinary Committee

Disciplinary Committee

The Order of the Disciplinary Committee dated 16th January, 2023 was confirmed by the Delhi Medical Council in its meeting held on 09th February, 2023.

By the Order & in the name of

Delhi Medical Council

(Dr. Girish Tyagi)

Secretary

Copy to :-

1. Shri Ramnarayan s/o Shri Shankar Lal r/o C-325, Budh Nagar Inderpuri, New Delhi-110012.
2. Dr. Girish Tiwari, L-150 A, Pipali Wali Gali, Metro Pillar No. 182, Shashtri Nagar, New Delhi-110052.

(Dr. Girish Tyagi)

Secretary