DMC/DC/F.14/Comp.2727/2/2023/ 01st May, 2023

**O R D E R**

The Delhi Medical Council through its Disciplinary Committee examined a representation from Police Station, North Rohini, Delhi, seeking medical opinion in respect of death of Smt. Goldy w/o Shri Pankaj Israni r/o- House No.C-4/173, Setor-06, Rohini, Delhi allegedly due to medical negligence in the treatment administered at Dr. Baba Saheb Ambedkar Hospital, Advait Clinic, Jaipur Golden Hospital.

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

The Disciplinary Committee of the Delhi Medical Council examined a representation from Police Station, North Rohini, Delhi, seeking medical opinion in respect of death of Smt. Goldy w/o Shri Pankaj Israni r/o- House No.C-4/173, Setor-06, Rohini, Delhi allegedly due to medical negligence in the treatment administered at Dr. Baba Saheb Ambedkar Hospital, Advait Clinic, Jaipur Golden Hospital.

The Disciplinary Committee perused the representation from Police Station, North Rohini, Delhi, complaint of Shri Jitender Rana, written statement of Dr. Yogesh Kumar, Dr. Sanjeeta Singh of Advait Clinic, written statement of Dr. Sujita Kumar, Medical Superintendent, of Jaipur Golden Hospital enclosing therewith written statement of Dr. Pradeep Dua; copy of medical records of Advait Clinic, Jaipur Golden Hospital and other documents on record.

The following were heard in person :-

1) Shri Jitender Rana Complainant

2) Shri Pankaj Israni Husband of the Patient

3) Dr. Sanjeeta Singh Physician, Advait Clinic

4) Ms. Sunita Staff Nurse, Adviat Clinic

5) Dr. Yogesh Kumar Medical Superintendent, Advait Clinic

6) Dr. Pradeep Dua Emergency Incharge, Jaipur Golden Hospital

7) Dr. Sujita Kumari Medical Superintendent, Jaipur Golden Hospital

The Disciplinary Committee noted that neither the doctors nor the Medical Superintendent, Baba Saheb Ambedkar Hospital appeared before the Disciplinary Committee, inspite of notice.

The complainant Shri Jitender Rana stated that his sister (the patient) late Smt. Goldy w/o of Shri Pankaj Israni, aged 27 years old, was feeling stomach pain at morning of 24th December, 2018 around 12.30 a.m. when the pain was unbearable, he and his brother-in-law Shri Pankaj Israni (husband of the patient) took his sister to Ambedkar Hospital Sector-6, Rohini, Delhi. Around 03.00 a.m., the doctor provided some treatment and asked for rest. They came back at home and in morning, again the pain was started and they went to Advait Clinic. Dr. Yogesh Kumar started the treatment and asked for ultrasound/blood test. At 10.00 a.m., they admitted his sister to their clinic and started further treatment post receiving the test reports. His sister got relief there and they discharged in night around 10.30 p.m. Few hours later, there were some kind of changes with his sister’s body like blood patches, colour change. On 25th December, 2018, around 12.30, her body started to get dehydrate and she got loose motion as well. When they discussed with him (Dr. Yogesh Kumar), he (Dr. Yogesh Kumar) asked them to provide the tablets which was given during discharge. Few minutes later, all seems fine but around 2 o’clock, in the morning, she started get trouble with her body unexpected changes and immediately, they took her to Jaipur Golden Hospital because the clinic is not operating 24x7. At Jaipur Golden Hospital, the doctors started her treatment and few minutes later, they declared that she is no more. He (Dr. Yogesh Kumar) is an Ayurvedic doctor, why he is giving allopathic medicines. He wants to know which injections and treatment, Dr. Yogesh Kumar has given to his sister. There must be strict action to be taken against theses doctors.

Shri Pankaj Israni, husband of the patient Smt. late Goldy reiterated the stand taken by Shri Jitendra Rana.

Shri Pankaj Israni further stated that they were not given any treatment paper of Smt. Goldy nor any receipt of payment issued by Advait Clinic. Also, the treatment was administered only by Dr. Yogesh Kumar and not by Dr. Sanjeeta Singh.

Dr. Yogesh, Medical Superintendent, Advait Clinic in his written statement averred that he is a qualified B.A.M.S. doctor and have a clinic namely “Advait Clinic” at 139 / D-6, Sector-6, Rohini, Delhi–110085. On 24.12.2018, the patient Smt. Goldy (sister of the complainant), 27 years old female, was brought to the above clinic at around 10.00 a.m. with the complaints of loose motions, vomiting and pain in lumber region and that she had been under the treatment of Ambedkar Hospital for the same problem in the previous night. As soon as she arrived, she had been advised for investigation only (including the ultrasound and the blood test) by him. When the patient came back with the report of ultrasound at around 01.00 pm, she was attended by Dr. Sanjeeta Singh, M.B.B.S. and was treated under her(Dr. Sanjeet Singh) supervision thereafter. At 07.00 p.m., the doctor advised the patient to a higher center for further management and treatment. The patient was taken from the clinic at 09.00 p.m. in a stable condition. It is not denied that he is an ayurvedic doctor. However, it is incorrect to say that he had prescribed allopathy medicines to the patient.

On enquiry by the Disciplinary Committee, Dr. Yogesh Kumar stated that Smt. Sunita is the qualified nurse who administered the treatment to the patient Smt. Goldy at Advait Clinic as per the instructions of Dr. Sanjeeta Singh.

Dr. Sanjeeta Singh, Physician, Advait Cinic in his written statement averred that patient Smt. Goldi was treated under her observation at Advait Clinic on 24.12.2018. On 24.12.2018, the patient 27 years old female was brought to the clinic at around 10.00 a.m. with loose motion, vomiting and pain in lumber region, for which, the patient had also been taken to BSAH (Baba Saheb Ambedkar Hospital) in previous night also. At clinic, the patient was advised for investigation by Dr. Yogesh Kumar. The patient came back with the reports of USG at around 01.00 p.m. The patient was attended by her and the patient was advised for hospitalization, but the attendants were not willing to take the patient back to BSAH, as the admission was refsued by the hospital in previous night. Although, the attendants were not willing to take the patient to any other private hospital, as they showed their inability to afford the expenses. The attendants requested them to treat the patient at the clinic. She started the treatment. At around 07 p.m., G.C. (General Condition) of the patient was stable and the patient was complaining of on and off pain only. After reviewing the blood reports, she advised the attendants to take the patient to higher centre for further management and treatment. The patient was taken from the clinic around 09.00 p.m. in stable and walking condition. It is also mentioned in the complaint that the patient was taken to Jiapur Golden Hospital at 02 a.m. on 25.12.2018 and was declared dead after giving some treatment. Only primary treatment was given at the clinic. Therefore, it is stated that there is no any part of fault on her.

On enquiry by the Disciplinary Committee, Dr. Sanjeeta Singh admitted that no treatment records of Advait Clniic were handed over to the patient or her attendants at the time of discharge from the said Clinic.

On enquiry by the Disciplinary Committee, Dr. Sanjeeta Singh stated that no record of discharge was prepared. She further stated that the complainant Shri Pankaj Israni was informed to take the patient Smt. Goldy in higher centre.

Dr. Sanjeeta Singh stated that Ms. Sunita, Staff Nurse helped her with the treatment of the patient by monitoring I.V. drip, administering medicines to the patient, as per her directions.

Ms. Sunita, Staff Nurse, Adviat Clinic stated that she does not possess any qualification in nursing. She is employed with Advait Clinic where she helps the doctor with the treatment and work under the supervision of the doctor.

She further stated that in the present case, she assisted Dr. Sanjeeta Singh in the treatment of the patient Smt. Goldy. At 09.00 p.m. on 24th December, 2018, the patient after having received the treatment, went walking. Further, Dr. Sanjeeta Singh’s referral slip which was issued in the name of Smt. Goldy, was handed over by her to the patient’s attendant.

Dr. Sujita Kumari, Medical Superintendent, Jaipur Golden Hospital stated that the patient Smt. Goldi, aged 28 years, w/o Shri Pankaj Israni, was received by the Casualty Medical Officer on duty Dr. Gaurav Chauhan at 02.10 a.m. on 25th December, 2018 in gasping state with un-recordable blood-pressure and absent pulse as per MLC records at Jaipur Gold Hospital. Her (the patient) case records, the patient was immediately given cardio-pulmonary resuscitation as per ACLS protocols. Simultaneously, Code Blue was activated and immediately attended by the Code Blue Team. The admission formalities were initiated. Inspite of adequate and effective CPR by the Code Blue Team, the patient could not be revived and declared dead at 03.02 a.m.

Dr. Pradeep Dua, Emergency Incharge, Jaipur Golden Hospital reiterated the stand taken by Dr. Sujita Kumari, Medical Superintendent, Jaipur Golden Hospital.

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

1. It is noted that the patient Smt. Goldy, 27 years old female, reported to the emergency of Baba Saheb Ambedkar Hospital at 03.00 a.m. with complaint of pain in left flank radiating to medial thigh. Ultrasound whole abdomen investigation was advised and the patient was referred to surgery department. The Senior Resident Surgery, on examination, observed that per abdomen soft, non-tender, suspected right renal calculi. Injection Buscopan was given at 04.45 a.m. and the patient was asked to review in OPD. The patient came back home. Since the patient was not relieved of pain, she presented to the Advait Clinic, Rohini, New Delhi at 10.00 a.m. on 24th December, 2018. Dr. Yogesh Kumar advised investigation viz. ultrasound and blood test. The patient reported again to Advait Clinic at 01.00 p.m. with investigation reports. The patient was attended by Dr. Sanjeeta Singh who noted that the patient had complaints of loose motion with vomiting with pain in left lumber region since one day. She (Dr. Sanjeet Singh) prescribed injection Amikasin, injection Metrogyl, injection Cipro, injection Ondem, Rantac all I/V stat. At 03.00 p.m., Dr. Sanjeeta Singh noted the patient’s blood-pressure to be 120/70 mmHg, vitals stable, orally taking, no loose motion or vomiting, general condition better. Further, at 07.00 p.m. in her notes, Dr. Sanjeeta Singh recorded the patient complaining of off and on pain, though, orally accepting and better. Dr. Sanjeeta Singh noted that the primarily treatment had been given and the patient was advised to go to a higher centre for further management and the treatment.

As per Dr. Sanjeet Singh’s written statement, the patient left Advait Clinic at 09.00 p.m. (24.12.2018) in a stable and walking condition. The complainant Shri Jitender Rana stated that his sister (the patient) Smt. Goldy got relief and was discharged in night at around 10.30 p.m. (24.12.2018), however, around 00.30 a.m.(25.12.2018), she developed blood patches, her colour changed, suffered from dehydration and loose motion. Medicines, as advised by the doctor of Advait Clinic were given to the patient, however, around 02.00 a.m. (25.12.2018), her condition deteriorated and she was taken to Jaipur Golden Hospital.

As per the medical records of Jaipur Golden Hospital, the patient reported to the casualty at 02.10 a.m. (25.12.2018) in unconscious and gasping state with non-recordable blood-pressure and pulse. Resuscitative measures were initiated but the patient could not be revived and declared dead at 03.02 a.m.(25.12.2018).

Subsequent opinion in respect of post-mortem report No.1376/2018 dated 205th December, 2018 was death due to aspiration pneumonia.

1. It is observed that the treatment for the complaint of left flank pain in the emergency in the early hours of 24th December, 2018 at Baba Saheb Ambedkar Hospital, was as per the accepted professional practices in such case.
2. Similarly, the treatment provided by Dr. Sanjeeta Singh who is a qualified physician at Advait Clinic, under the prevailing conditions, as mentioned herein-above, is also found to be reasonable and adequate. Further, the allegation that the treatment, was administered by an unqualified person, is found to be without any merit.
3. Similarly, no medical negligence can be attributed on the part of the doctors of Jaipur Golden Hospital, as the patient presented there in a very critical condition, which had a grave prognosis, inspite of adequate treatment.
4. The cause of death does not appear to be correlated to the treatment provided.

In light of the observations made herein-above, it is the decision of the Disciplinary Committee that no medical negligence can attributed on the part of the doctors of Dr. Baba Saheb Ambedkar Hospital, Advait Clinic and Jaipur Golden Hospital, in the treatment of Smt. Goldy.

Matter stands disposed.

Sd/: Sd/: Sd/:

(Dr. Maneesh Singhal), (Dr. Anil Kumar Yadav) (Dr. Satish Tyagi)

Chairman, Eminent Publicman, Delhi Medical Association

Disciplinary Committee Member, Member,

 Disciplinary Committee Disciplinary Committee

Sd/: Sd/:

(Dr. Anil Gurtoo) (Dr. Amit Gupta)

Expert Member, Expert Member,

Disciplinary Committee Disciplinary Committee

The Order of the Disciplinary Committee dated 16th March, 2023 was confirmed by the Delhi Medical Council in its meeting held on 10th April, 2023.

. By the Order & in the name of

 Delhi Medical Council

 (Dr. Girish Tyagi)

 Secretary

Copy to :-

1. Shri Jitender Rana, B-3, House No.160, Sector-06, Rohini, Delhi-110085.
2. Shri Pankaj Israni, House No.C-4/173, Sector-06, Rohini, Delhi-110085.
3. Dr. Sanjeet Singh, 264, Pocket-6, Shanti Apartment, Sector-23, Rohini, Delhi-110085.
4. Dr. Yogesh Kumar, Medical Superintendent, Advait Clinic, 139/D-6, Sector-6, Rohini, Delhi 110085.
5. Medical Superintendent, Baba Saheb Ambedkar Hospital, Govt. of NCT of Delhi, Rohini, Delhi-110085.
6. Medical Superintendent, Jaipur Golden Hospital, 2, Institutional Area, Sector-3, Rohini, Delhi-110085.
7. Station House Officer, Police Station, North Rohini, Delhi-110085-w.r.t. Case Reg No.: Cr. Case 11362/21, P.S. N. Rohini, Pankaj Israni Vs. State-**for information**.

 (Dr. Girish Tyagi)

 Secretary