DMC/DC/F.14/Comp.3731/2/2024/ 15th October, 2024

**O R D E R**

The Delhi Medical Council through its Executive Committee examined a complaint of Smt. Anjali Singh r/o A1A/33, Chanakya Place, New Delhi-110059, alleging medical negligence on the part of Dr. Nikhil Yadav and Dr. Amarjeet Singh Popli of Popli Hospital, Chanakya Place, New Delhi, in the treatment of the complainant.

The Order of the Executive Committee dated 27th September, 2024 is reproduced herein-below :-

The Executive Committee of the Delhi Medical Council examined a complaint of Smt. Anjali Singh r/o A1A/33, Chanakya Place, New Delhi-110059 alleging medical negligence on the part of Dr. Nikhil Yadav and Dr. Amarjeet Singh Popli of Popli Hospital Chanakya Place, New Delhi in the treatment of the complainant.

The Executive Committee perused the complaint, joint written statement of Dr. Amarjeet Singh Popli, Dr. Nikhil Yadav, copy of medical records of Popli Hospital & Dental Clinic, and other documents on record.

The complainant Smt. Anjali Singh in her complaint alleged that in August, 2020, she went to meet Dr. Raminder Popli at Popli Hospital for her PCOD problem during which she was asked to take a few tests including ultrasound of the whole abdomen, hematology, biochemistry, serology and immunology for further investigation.  As per the direction from Dr. Raminder Popli,  all tests were duly conducted wherein it was clear that she was not suffering from any other corporal problem/disease except gallbladder stone, reproduced as "gallbladder - contracted there are multiple echogenic foci 6-13 mm seen within.  After going through the report, Dr. Raminder Popli in consultation with Dr. Amerjeet Singh Popli suggested immediate treatment through gallbladder removal surgery stating "this is a very common surgery and we are specialists in conducting such surgeries". They also assured her that the surgery would be performed by a specialist surgeon from a renowned hospital and accordingly Dr. Nikhil Yadav (surgeon from Aakash Hospital) was appointed which cost her extra money.  After taking into consideration the seriousness of the matter as suggested by the doctors she decided to undergo the surgery after getting full assurance of success for surgery in the best facilities and services.  On 18.12.2020, she was admitted in Popli Hospital and the surgery was performed on the same day by Dr. Nikhil Yadav. Thereafter, she was discharged on 20.12.2022 from the hospital after declaration that the surgery was successful.  Just after a few days, she noticed some lumps forming near her operating area which was leaking and having unbearable pain and the same was brought to the notice of Dr. Nikhil Yadav. However, Dr. Nikhil Yadav was adamant on giving medicines with false assurances that they would be cured within due time.  Thereafter, when the condition got worse, she visited Dr. Amarjeet Singh and Dr. Nikhil Yadav and they asked her for another Ultrasound which was conducted on 13.03.2021.  Which reported as "A SMALL WELL MARGINED HYPOECHOEIC LESION MEASURING 13.3X8.0X10.6 IS SEEN IN ABDONINAL WALL DEEP SUBCUTANEOUS FAT PLANE AT RIGHT LUMBER REGION PORT SIDE". She regularly brought to the notice of Dr. Nikhil Yadav and Dr. Amarjeet Singh that there was some lacuna and irregularity in the surgery which has caused great hardships resulting in the formation of lumps and unbearable pain yet no head was paid by the aforesaid doctors. Hence, both the doctors, Dr. Nikhil Yadav and Dr. Amarjeet Singh misguided her by stating that the above report was normal and a few weeks of medicine course would cure such postoperative issues.  Even after consuming regular heavy antibiotic medicines, still, there was continuous development of lumps one after another near the operative area. After having 9 months of medicine course as directed by Dr. Nikhil Yadav she saw no improvement in her health, rather it got worse therefore, she contacted Dr. Nikhil Yadav again where he started to misbehave, committed harassment and showcased his negligence and ill intent against her and his lack of knowledge about the surgery.  Therefore, she decided not to continue with the treatment of Dr. Nikhil Yadav due to his continuous bad behavior, negligent acts, and lack of knowledge about her health condition. The same was brought to the notice of Popli Hospital yet no help was offered.  During the whole treatment which involved surgery and diagnosis, she has incurred expenses for more than Rs. 9 lakhs. Subsequently, she had to suffer unbearable physical pain, mental agony/torture, and harassment which could not be counted for.  Since she had no option left, she consulted with Dr. Sukhvinder Singh Saggy Gl specialist at CK Birla Hospital, Punjabi Bagh, New Delhi dated 30.12.2021 wherein he opined that the operation must have created septic/sinuses leaving behind some sort of bacteria hampering her health. This was a result of the failed surgery performed by Dr. Nikhil Yadav and his negligent attitude thereafter, which gave rise to such a situation.  After considering the seriousness of the case, he himself conducted an ultrasound with a hospital radiologist, dated 30.12.2021 in CK Birla hospital,  which states: "THERE IS C/O MID LINE EPIGASTRIC TWO CUTANEOUS SINUS OPENING WHICH COMMUNICATE IN SUBCEUTANEOUS TISSUE TO FORM SINGLE SINUS TRACK CONTINUING INTO THE OMENTUM OVERLYING LEFT LOBE OF THE LIVER FOR APPROXIMATELY 5CM LENGTH, FEW ECHOGENIC DEBRIS SEEN IN THE OMENTAL TRACK, SMALL AREA OF COLLECTION OF SIZE 2.5X1.5CM SEEN IN OMENTEM, THE OMENTUM IS SEEN TO HERNIATE IN THE SINUS TRACK".  Based on the above report Dr. Saggu was of the view that she required immediate surgery to remove the sinus as it had reached the Liver which is a threat to life if not operated. On 08.01.2022, Dr Saggu performed surgery and removed the sinus tract completely from her body.  After the success of the surgery, Dr. Saggu suggested she consult with Dr. Rajesh, Max Hospital, Saket about her current treatment for further opinion on the problem that arose after surgery (performed by Dr. Nikhil Yadav) due to recklessness and malignant acts of the doctors of Popli Hospital and Dr. Nikhil Yadav.  She is still facing and dealing with her health conditions due to the surgery performed by Dr. Nikhil Yadav and in that respect, she prays to the Delhi Medical Council for proper inquiry in this matter against Dr. Nikhil Yadav, Dr. Amarjeet Singh, and Popli Hospital for their gross and negligent acts committed against me. The acts committed by Popli Hospital and Dr. Nikhil Yadav and Dr. Amarjeet Singh showcase their clandestine intent to extort money from her on one pretext or another. They have also committed fraud against her by misguiding her to the extent her health got worsened. In furtherance of the facts stated above, a written complaint to SHO, Police station (Dabri) dated 29.03.2023 and DCP West, dated 29.03.2023 was lodged against Dr.Nikhil Yadav, Dr. Amarjeet Popli, and Popli Hospital. Therefore, in view of the above, it is requested to hold a just and proper inquiry against Dr. Nikhil Yadav, Dr. Amarjeet Singh, and Popli Hospital in the present case of negligence and misconduct.

Dr. Nikhil Yadav and Dr. Amarjeet Singh Popli Incharge Popli Hospital & Dental Clinic in their joint written statement averred that the complainant Smt. Anjali Singh was admitted in said Hospital on 18.12.2020, operated on 18.12.2020, discharged on 20.12.2020 on full normal diet. Symptomatic gallbladder disease on ultrasound shows old disease with multiple episodes of inflammation causing contraction. Regular Post op subcutaneous infection protocol was followed. They further submitted that Laparoscopic Cholecystectomy is a routine clean contaminated surgery. USG showing contracted gallbladder with Multiple stones in itself shows old disease with ??Multiple episodes of inflammation (Cholecystitis) causing gallbladder to contract. The patient was given Pre Op, Intra Op and Post Op cover of Antibiotics during her stay in Hospital and same was advised on discharge also. Surgery done was uneventful. Post Op period was uneventful. Epigastric port infection appeared at later dates. As claimed by complainant, Smt Anjali Singh, surgery was done urgently but we bring into your kind notice that it was postponed for one month after patient tested COVID 19 Positive. The complainant came to OPD but time and number not correctly remembered. Then complainant was lost to follow up. Port Site Infection is a known routine complication of Laparoscopic Surgeries ranging from 1 to 7%. Studies attached for verification.

In light of the above the Executive Committee makes the following observations:

1. The patient Smt Anjali Singh a 34 year old female with diagnosis of cholelithiasis with pain abdomen was admitted in Popli Hospital on 18-12-20. She underwent the surgical procedure of Laproscopic cholecystectomy under spinal anesthesia, under consent on 18-12-20. The surgery was performed by Dr Nikhil Yadav. The surgery was successful with dissection of the gall bladder. Post surgery patient was stable and she was discharged on 20-12-20. The histopathology report dated 23-12-20 of gall bladder specimen was chronic cholecystitis with cholesterosis. Subsequently patient developed post op subcutaneous infection for which she was treated conservatively. Later the patient was admitted in CK Birla Hospital on 8-01-22 with complaints of abscess in the epigastric region, pain and discharge in the abscess for three months. She was diagnosed with discharging sinus with abscess anterior abdominal wall and underwent laproscopy with debridement with excision of sinus tract and drainage of abscess on 8-01-2022 and discharged on 9-01-22. As per the prescription dated 27-08-22 of Indira Gandhi Hospital, Dwarka, patient had undergone multiple procedures of I and D and tract excision procedures and had also taken multiple antibiotic therapy for the same; presently she had a single sinus/wound in abdomen and as per USG dated 17-08-22 she had multiple pockets of thick collection extending up to muscular layer.
2. The Committee is of the opinion that the procedure of laprascopic cholecystectomy for a diagnosis of cholelithiasis was warranted and the same was done as per accepted professional practices in such cases. Port site infection in the form of abscess and discharging sinuses is a known complication of laparoscopic surgeries, whose treatment typically involves antibiotics, I&D procedures as was done by doctors of Popli hospital in the patient’s follow up with them or further surgical intervention as was done at CK Birla Hospital.
3. The treatment provided was within acceptable medical standards considering the known complications associated with laparoscopic cholecystectomy. The complications experienced by the patient, such as postoperative infections and subsequent interventions, appear to have been managed appropriately with conservative and surgical measures.

In view of the same primafacie no case of medical negligence is made out on the part of doctors of Dr Nikhil Yadav or Dr Amarjeet Singh Popli of Popli Hospital in the treatment of the complainant Smt. Anjali Singh.

Matter stands disposed.

Sd/: Sd/: Sd/:

(Dr. Arun Kumar Gupta) (Dr. Ashwini Dalmiya) (Dr. Raghav Aggarwal)

Chairman, Member, Member,

Executive Committee Executive Committee Executive Committee

Sd/:

(Dr. Arun Kumar Gupta)

Expert Member,

Executive Committee

The Order of the Executive Committee dated 27th September, 2024 was confirmed by the Delhi Medical Council in its meeting held on 03rd October, 2024.

By the Order & in the name of

Delhi Medical Council

(Dr. Girish Tyagi)

Secretary

Copy to :-

1. Smt. Anjali Singh r/o A1A/33, Street no. 09, Chanakya Place, New Delhi-110059**.**
2. Medical Superintendent, Popli Hospital, RZ E-2/86A, Block C, Chanakya Place I, Janakpuri, New Delhi, Delhi, 110059.

(Dr. Girish Tyagi)

Secretary