Consumer Grievance Assistance Chatbot: Hi! I am your consumer grievance assistance tool. Kindly let me know how I can help you.

User: My husband passed away due to medical negligence by doctors and hospitals. I want to file a complaint and get compensation for the loss.

Consumer Grievance Assistance Chatbot: Could you please provide the name of the deceased person and their age at the time of death?

User: The deceased person's name was Yusuf Khan Abbas Khan Pathan, and he was 41 years old at the time of his death.

Consumer Grievance Assistance Chatbot: Thank you. What was Mr. Pathan's occupation and monthly income?

User: He was working as a permanent peon at Nagar Palika Sala No. 19, earning a monthly salary of Rs. 8,288/-.

Consumer Grievance Assistance Chatbot: I understand. Could you please explain the circumstances that led to Mr. Pathan's hospitalization and the sequence of events involving the different hospitals/doctors?

User: On 08/09/2006, while starting his bike, he suffered an injury to his leg due to the kick-start, and his leg started swelling. He was taken to Usha Nursing Home, where the doctor prescribed some medicine, but there was no improvement. On 10/09/2006, he was admitted there until 14/09/2006. Subsequently, he was treated by Dr. Tejas Majboor for jaundice.

On 17/09/2006 around 4:00 pm, Mr. Pathan had breathing problems, and I tried to shift him to a nearby hospital, but doctors were not available. I then approached Maitri Hospital, where he was examined and treated. However, his condition deteriorated, and he needed an air-conditioned room. After paying Rs. 400/-, he was admitted around 6:00 pm. Dr. Tailor did not obtain informed consent here before conducting diagnostic tests.

Around 10:00 pm, Dr. Tailor examined Mr. Pathan and found his health had severely deteriorated, and his pulse rate was reducing drastically. On his advice, my husband was shifted to Narhari Aarogya Kendra Hospital as there were no ICU facilities at Dr. Tailor's hospital. He also gave a letter dated 17/09/2006 for admission to the ICU.

My husband was brought to Shri Narhari Aarogya Kendra hospital with continued treatment, but he was not admitted to the ICU. His condition became serious, and none of the doctors visited him. Meanwhile, his health deteriorated suddenly with severe breathing problems. The doctor did not visit him, and he died at 2:00 am on 18/09/2006.

Consumer Grievance Assistance Chatbot: Based on the details provided, it seems there were potential lapses in the medical treatment provided by the various hospitals/doctors involved. Could you please provide details about the actions you took, if any, after Mr. Pathan's demise?

User: After my husband's death, I sent a notice to Narhari Aarogya Kendra Hospital regarding their irresponsibility, requesting all the papers and details of the treatment given to my husband. In response, their advocate, Mr. Deepak Vyas, sent a reply with copies of all the papers and stated that the patient was admitted as per the advice from Dr. Tailor and treatment was also given as per his advice. Due to this, I consulted a doctor for an expert opinion. The expert opinion concluded that all 3 hospitals were negligent and showed gross deficiency in rendering medical services. It was also found that in the papers supplied by them that there were differences in the type of writing ink used and the continuity. I am not sure about the authenticity of these case papers.

Consumer Grievance Assistance Chatbot: When did you obtain this expert opinion?

User: On 04/04/2008

Consumer Grievance Assistance Chatbot: Thank you for providing the details. Based on the information you have shared, it appears that there was potential medical negligence by the three hospitals/doctors involved in your husband's treatment. You can file a complaint before the Consumer Forum that has jurisdiction to hear your case. You can contact the [Gujarat Helpline](https://consumeraffairs.nic.in/consumer-corner/state-consumer-help-line) as well to lodge the complaint. This is their number: 1800-233-0222.

User: How do I go directly to court?

Consumer Grievance Assistance Chatbot: Before you file a complaint before the forum, you would have to send a notice to all 3 hospitals. If you do not receive a satisfactory response, or if you do not receive a response from them at all, you can initiate legal action by approaching the consumer court. Do you want me to draft a notice for you?

User: Yes. Draft a legal notice for me.

Consumer Grievance Assistance Chatbot: In that case, I would require additional details such as your full name and address, the full name and address of all the parties you would like to file the complaint against.

User: My name is Farida Bahan Yusuf Khan Pathan. I live in Hathikhana Mahvat Faliya, Near Anaj market, Fatehpura, Vadodara. I am filing this complaint with Jagruk nagrik (Voluntary consumer association) through their managing trustee, P.V .Moorjani. Their address is opp. LBS Vidyalaya, Near Prerna School, Sangam karelibaug road, Vadodara.

I want to file a complaint against Dr Manubhai Vardiwala from Usha nursing Home (address: Mrudula Sadan, Pratap road, Rampura Vadodara), Dr Mukesh M. Tailor from Maitri hospital (Lab complex, near New India Mill, Jetalpur road, Vadodara), Shri Narhari Aarogya Kendra hospital (Fatehganj, Vadodara) and The Oriental Insurance Company Ltd. (201 / 202 Paradise complex, Sayajigunj, Vadodara 3 90005)

Consumer Grievance Assistance Chatbot: Thank you. Do you know the amount of compensation you would like to demand?

User: Yes. I want Rs. 15,00,000/- towards financial support for the loss of income and future earnings of my husband, Rs. 1,00,000/- for miscellaneous expenses for medical tests, Rs. 3,00,000/- towards compensation for causing tremendous mental agony, and Rs. 2,00,000/- towards the cost of the complaint if they do not reply.

Consumer Grievance Assistance Chatbot: Do you want to send the notice physically or via email? If you want to send it via email, please provide me with the email ID that can be used by all the opponents if they want to send a reply.

User: I will send it via email. This is the email ID of all of them: \_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Consumer Grievance Assistance Chatbot: Thank you. You can access the [notice](https://docs.google.com/document/d/1fNPp_xokcyHkMR9l5QQQ8-VIjIfNhQIcNKEL7AzlNSc/edit) here. Please keep in mind that your signature is required in the notice. You can either take a printout of the notice and sign it, or else you can e-sign it. Also mention the date in the notice before you send it. If you don't receive a satisfactory response or if you don't receive a response within fifteen days, you can initiate legal action by filing a complaint before the consumer forum. Do you want me to guide you on how you can file a complaint?

User: Yes.

Consumer Grievance Assistance Chatbot: First, we have to determine which consumer forum has the jurisdiction to hear your case. The court can be identified on the basis of the location where either the hospitals or any of its branches are situated, or where you are residing or working. Since you are situated in Vadodara, would you like to file the case at Vadodara?

User: Yes

Consumer Grievance Assistance Chatbot: Do you want me to draft a pre-filled complaint that you can use? You will need to upload all relevant documents like proof of purchase, proof of damage, attempt to solve the problem, official communication from the hospitals here.

User: Okay

Consumer Grievance Assistance Chatbot: Thank you. You can access the pre-filled [complaint](https://docs.google.com/document/d/1W7AwC3KrGO75S9y7yfxh3j08_sr7pApMkdUCjer9rxY/edit) here. Please fill in the details that have been left blank, such as the date and your signature. In addition to the complaint, you must also submit an affidavit and a document called the “Memorandum of Parties”. Do you want me to provide you with the pre-filled versions of the same?

User: Yes please

Consumer Grievance Assistance Chatbot: You can access the [Affidavit](https://docs.google.com/document/d/1cwDYgmxUkvwNTtdxwySe6zZY79wabfGRVGGoAuPCuTM/edit) here and the [Memorandum of Parties](https://docs.google.com/document/d/1YCi8TaXFVVwPfPLKc7fzsCbaaWocZh8wJsl8mpa1z3Q/edit) here. You must fill in the details that have been left empty in both the documents. Further, you must get the affidavit notarised. After this, you can file your complaint on [E-daakhil](https://edaakhil.nic.in/), the portal for consumer redressal. Do you want me to provide you with a step-by-step guide on how to file your complaint on E-daakhil?

User: Yes

Consumer Grievance Assistance Chatbot: You have to follow these steps in order to file a complaint:

1. Create an account on E-daakhil.
2. Verify your email address and login
3. Go to “Consumer Complaint” and accept the terms and conditions by clicking the “accept” button after carefully reading the terms. If you have any queries regarding the terms, please let me know.
4. Click “Consumer Complaint” and enter the claim amount that you are seeking.
5. Select Gujarat as the State and Vadodara as the district. Click continue to proceed to the “Case Details” page.
6. On the “Case Details” page, enter all the necessary details and in case of any queries, please let me know.
7. In the “Party Name” section, enter the name of all the parties you would like to file a complaint against. In the “Advocate” Section, enter the details of your advocate and if you do not have an advocate, you can leave it blank.
8. In the “Complaint Section”, you can provide the following as your complaint:-

“The complaint alleges medical negligence and deficiency in service by three hospitals/doctors (Opponents 1-3) which led to the untimely demise of Mr. Yusuf Khan Abbas Khan Pathan, causing mental agony and financial hardship to the complainant, his wife. The relief sought is compensation for negligence, deficiency in service, and unfair trade practice by the opponents.”

1. In the next section, enter the necessary details and attach a filled copy of the Complaint and the Affidavit along with the Memorandum of Parties.
2. In the next section, verify the details of your complaint and submit your complaint.
3. On the “Pending Complaints” page, you will be required to pay the necessary fees.

User: Got it. Thank you

Consumer Grievance Assistance Chatbot: Thank you for using the tool. Feel free to raise further queries anytime or you can log on to <https://consumeraffairs.nic.in/> or dial 1800-11-4000 (National Consumer Helpline) for more information.