BEFORE THE DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION, KARNATAKA, AT HASSAN

Consumer Complaint No. \_\_\_\_\_\_of 20

Mrs. Rukmini A.N

W/o B.P Giriyappa, Age 41 years,

Residing at Udayagiri Extension,

Hassan. ....COMPLAINANT

V/s

Dr. Ashokgowda

Chief Administrator and Surgeon

Mangala Hospital

Sampige Road, Hassan .... OPPOSITE PARTY

**COMPLAINT UNDER SECTION 35 OF THE CONSUMER PROTECTION ACT, 2019**

1. The address of the Complainant for the purpose of service of summons, notice etc is as shown in the cause title above and that of his counsel
2. The address of the Opponents for the very purpose is the same as shown in the cause title above.
3. Herein the above-named Complainant most respectfully submits as under,
4. The Complainant respectfully submits that she was admitted to the Opposite Party’s Hospital On 08/10/2015, and underwent surgery for Peptic Disorder and Fibroid Uterus. Despite her sugar level being 210 at the time of the operation, an IV drip was inserted into her left hand without taking proper care, causing her left hand to swell up.
5. The Complainant submits that after she developed these conditions, she informed the doctors at the Opposite Party’s hospital about this swelling on 11/10/2015 and was advised to apply ointment, after which she was discharged on 18/10/2015.
6. The Complainant submits that she suffered severe pain once again on the day after she was discharged - 19/10/2015, and was referred to Dr Deepak at Chord Road Hospital, Bangalore for further treatment.
7. After a check-up, Dr Deepak informed the Complainant that the Opposite Party’s hospital had not properly diagnosed her sugar value before conducting the surgery, which had led to severe swelling, injury and pain. The Complainant’s left hand now has a permanent disability and she is extremely devastated, upset, and angry.
8. The Complainant respectfully submits that her medical condition including swelling, pain, and permanent disability in her left hand has caused her a loss of Rs 10,00,000 (including the compensation of Rs 7,00,000 for deficiency of service) from the Opposite Party.
9. That the Opposite Party is liable for medical negligence, deficiency in service which has resulted in financial loss, harassment and mental agony.

IV. **Cause of Action**;

1. The Cause of action arose on 08-10-2015 when the Complainant underwent surgery at Mangala Hospital

V. **Limitation Period**

1. That the present complaint is being filed within a period of two years from the date of cause of action, as prescribed under Section 69 of the Consumer Protection Act, 2019.

VI. **Jurisdiction:**

1. On territorial jurisdiction, it is submitted that the complainant and the Opposite Party reside within the jurisdiction of this Hon'ble Court and hence this Honourable Court possesses jurisdiction.
2. On pecuniary jurisdiction, it is submitted that the consideration amount is less than Rs. 50,00,000/-
3. Hence this Hon'ble Court possesses jurisdiction to try and entertain this complaint

VII. **Court Fees:**

1. In line with Rule 7 of Consumer Protection (Consumer Dispute Redressal Commission) Rules, 2020, no court fee has been paid as the value of the impugned service is less than Rs 5 lakhs and the stipulated three copies of the complaint have been submitted.

VIII. **Prayer**

It is therefore most humbly prayed that setting all the contentions of the Opponents if any an order may kindly be passed against the Opponents in the following terms,

1. Direct the Opposite Party to refund the amount of Rs 3,00,000/- for the cost of the treatments and medicines at Mangala Hospital
2. Direct the Opposite Parties to pay Rs. 7,00,000/- as compensation for medical negligence, financial loss, harassment, mental agony, expenses and deficiency in service.
3. Pass any other order as deemed fit in the interest of justice, equity, and good conscience.

HASSAN

Date Advocate for Complainant

**Verification**

Herein I, Mrs Rukmini A.N, do hereby state on the solemn affirmation that the contents of the above paragraphs are read over and explained to me in my vernacular, and the same is found to be true and correct to the best of my knowledge, belief, and information.

**HASSAN**

**Date Complainant**