DMC/DC/F.14/Comp.3860/2/2024/ 02nd April, 2024

**O R D E R**

The Delhi Medical Council through its Executive Committee examined a representation from Police Station Saket Delhi seeking medical opinion on a complaint of Shri Harender Singh Khokhar s/o Late Shri C S Khokar r/o C-369, Yojana Vihar, Delhi-110092 alleging medical negligence on the part of doctors of Max Super Speciality Hospital 2, Press Enclave Road, Saket, New Delhi-110017, in the treatment of complainant.

The Order of the Executive Committee dated 21st March, 2024 is reproduced herein below:-

“The Executive Committee of the Delhi Medical Council examined a representation from Police Station Saket Delhi seeking medical opinion on a complaint of Shri Harender Singh Khokhar s/o Late Shri C S Khokar r/o C-369, Yojana Vihar, Delhi-110092 (referred hereinafter as the complainant) alleging medical negligence on the part of doctors of Max Super Speciality Hospital 2, Press Enclave Road, Saket, New Delhi-110017(referred hereinafter as the said Hospital), in the treatment of complainant.

The Executive Committee perused the representation from Police, copy of complaint, joint written statement of Dr. Aparna Sinha, Dr. Nilesh Kumar, Deputy Medical Superintendent, Max Super Specialty Hospital, copy of medical records of Max Super Speciality Hospital and other documents on record.

It is noted that the complainant Shri Harender Singh Khokhar, 46 years old male was admitted in Max Super Specialty Hospital, Saket, New Delhi on 26th February, 2023 with complaint of swelling over abdomen, reduces on lying down, increases on straining, no history of vomiting, pain abdomen, obstipation, no urinary complaints, history of laparoscopy converted to open cholecystectomy, craniotomy. He was a diagnosed as a case of ventral Hernia. He underwent ROBOTIC intraperitoneal Onlay Mesh Plus Repair was performed on 27.02.2023, under consent. The surgery was performed by Dr. Pradeep Chowbey. Epidural was placed in intra operative period for adequate pain control. In post operative period patient complainted of headache, for which patient was managed conservatively by neurology and anesthesia team. Patient improved symptomatically on conservative management. Patient was ambulant and asymptomatic, tolerating free oral diet and was discharged on 07th March, 2023.

The primary allegation in the complaint of medical negligence is that during administration of epidural anesthesia, doctor had punctured dura causing loss of CSF and because of which he suffered headaches, in the post operative period.

Dr. Aparna Sinha and Dr. Nilesh Kumar, Deputy Medical Superintendent, Max Super Specialty Hospital in their joint written statement rebutted the allegation of the complainant by contending that there is no evidence to suggest lumbar/dural puncture during the surgery and claims of patient “ having hypotension in brain due to CSF leakage” cannot be substantiated. The epidural infusion was continued for two days after surgery. Had there been a dural puncture, patient would have shown signs of CSF leakage and signs of paraparesis, which were absent in this case. The surgery of the patient was uneventful. Post operatively, the patient’s vitals were within normal limits, his respiratory rate and limb movements were normal and there were no signs of meningeal irritation. Every patient had a different pain threshold. Upon complaint of headache, patient was advised treatment and medication by anesthesia team, since patient’s response was sub-optimal with pain relief medication. Neurology opinion was sought in view of past history of craniotomy. He was prescribed dexamethasone, ceftriaxone and diclofenac and he responded to this treatment. During pain management all the differential diagnosis of headache was kept in mind, including past history of craniotomy. Patient was explained every possibility in detail. From 04th March, 2023 onwards, the patient was better symptomatically. Subsequently, the medications were changed from intravenous to oral, however, the patient was comfortable and refused all ongoing pain relief medications. He responded to the treatment provided and was discharged on 07.03.2023.

In light of the above, the Executive Committee observes that the complainant experienced post operative pain in his head and neck and at operative site. Patient was operated under general anesthesia with epidural anesthesia. Patient was managed as per standard operative procedure . Pain could be non specific in nature without any discernible cause.

In light of the observations made herein-above, it is, therefore, the decision of the Executive Committee that prima-facie no case of medical negligence is made out on the part of doctors of Max Super Specialty Hospital, in the treatment of complainant.

Complaint stand disposed.”

Sd/: Sd/: Sd/:

(Dr. Arun Kumar Gupta) (Dr. Ashwini Dalmiya) (Dr. Saudan Singh)

Chairman, Member, Member,

Executive Committee Executive Committee Executive Committee

Sd/: Sd/: Sd/:

(Dr. Raghav Aggarwal) (Dr. Sunita Kalra) (Dr. Subodh Kumar)

Member, Member Expert Member

Executive Committee Executive Committee Executive Committee

The Order of the Executive Committee dated 21st March, 2024 was confirmed by the Delhi Medical Council in its meeting held on 27th March, 2024.

By the Order & in the name of Delhi Medical Council

(Dr. Girish Tyagi)

Secretary

Copy to:

1. Shri Harender Singh Khokhar s/o Late Shri C S Khokar r/o C-369, Yojana Vihar, Delhi-110092.
2. Medical Superintendent, Max Super Specialty Hospital, 2 Press Enclave Road, Saket, New Delhi.
3. SHO, Police Station, Saket, Delhi -110017. (w.r.t Complaint No. 44 ATR, PS Saket, Delhi, dated 31.03.2023)-for information.

(Dr. Girish Tyagi)

Secretary