

DATE OF FILING: 18.06.2021

DATE OF ORDER: 17.04.2026

BEFORE THE DISTRICT CONSUMER DISPUTES REDRESSAL
COMMISSION – II: HYDERABAD

P r e s e n t

SRI VAKKANTI NARASIMHA RAO ... PRESIDENT
SRI. P.V.T.R.JAWAHAR BABU MEMBER
SMT.D.SREEDEVIMEMBER

FRIDAY, THE 17TH DAY OF APRIL 2024

CONSUMER CASE NO.298/2024 (DCC-II HYDERABAD)

CONSUMER CASE NO.277/2021 (DCC-RANGAREDDY)

BETWEEN:

1. T.Sriramulu, S/o.T.Venkata Ramaiah, age 65 years, Occ:retired Employee, R/o.Plot No.39, Road.No.9, Parvathi Nagar Colony, Hayathnagar, Ranga Reddy District, Hyderabad-501505.
2. T.Chaithanya Kumar, S/o.T.Sriramulu, aged 34 years, Occ:Central Govt.Employee, R/o.Plot No.39, Road No.9, Ranga Reddy District, Hyderabad-501 505.

...Complainants

AND

1. Shrestha Orange Hospitals, Rep.by its Managing Directors Mrs.Yathati Durga Rani & Mr.Yathati Ramesh Babu, 3-8-264/1 & 3, Opposite to Vijayalaxmi Theatre, L.B Nagar, Hyderabad-500070.
2. Dr.Sai Kumar, S/o.Jagan Mohan Rao, aged 35 years, R/o.Plot No. G1, Sathya Sai Towers, Meerpet-500097.
(Native of Rajendrea Nagar, Mahbubnagar)

.... Opposite Parties

This Complaint is coming before us on this the 18th day of February,2026 in the presence of Learned Counsel, M/s.Y.Lakna Reddy Advocate, appearing for the complainant and Learned Counsel Sri Indrasena Reddy Advocate, appearing

for the opposite party.No.1; Opposite Party No.2 called absent and on perusal of material papers available on record, having stood over for consideration till this day, the Commission passed the following:

O R D E R

(BY SRI VAKKANTI NARASIMHA RAO, HON'BLE PRESIDENT
ON BEHALF OF THE BENCH)

Initially, this Complaint was filed before District Consumer Commission, Ranga Reddy on 18.06.2021 by the Complainant under Section 35 of Consumer Protection Act, 2019 vide CC No. 277 of 2021 and pending disposal the same has been transferred to this Commission as per the Orders of the Hon'ble State Commission, Hyderabad wherein a new number has been assigned and the prayer under the Complaint is to direct the Opposite Party to: -

1. Pay Rs. 50,00,000/- (Rupees Fifty Lakhs only) to the Complainants as refund of Charges, Compensation and Damages.
2. Pay Costs of the Complaint.
3. Pass any such other appropriate order or orders as the Commission deemed fit and proper in the interest of justice.

1. The brief averments as made-out under the Complaint is that the 1st Complainant is the husband of deceased viz: - T. Srilatha who died on 07.12.2020 while she was undergoing treatment in the 1st Opposite Party hospital, treated by Dr. Sai Kumar (2nd Opposite Party), who is a non-qualified doctor to provide treatment under the guidelines of Indian Medical Association. That the 2nd Complainant is their son. That the deceased T. Srilatha who is aged about 56 years has been suffering with

fever while the 1st Phase of Covid Pandemic is going on the month of September, 2020, the Complainants admitted her in the 1st Opposite Party Hospital for treatment vide IP No. 1879 and got treated for 20 days and discharged on 26th September, 2020 wherein the Copy of Discharge Summary is filed to substantiate their Contention and wherein an amount of Rs. 13,27,069/- (Rupees Thirteen Lakhs Twenty-Seven Thousand and Sixty-Nine only) has been charged for treatment on different heads and investigations wherein the Complainants paid the entire amount as charged and the Copies of Pathological reports and Bills are herewith filed as two Bunches. Because of the wrong diagnosis and treatment rendered with an inefficient and un-qualified persons employed by the 1st Opposite Party Hospital, the 1st Complainant lost his wife and the 2nd Complainant lost his beloved mother in spite of spending huge amount. The Hospital of the 1st Opposite Party is supposed to be a reputed hospital in the L.B. Nagar, Hyderabad and the General Public who approaches for the treatment is not expected to be verified the Qualifications of the Doctors who are being employed there. In view of the medical urgency, the Complainants believing the Hospital Management and its reputation rushed to the Hospital and Joined T. Srilatha in the Hospital for treatment. Due to the sheer negligence and deficiency of service of the Opposite Parties, one valuable human life has lost and the Complainants lost their beloved family member permanently at no fault of them. Though no one can bring back the life of the deceased T. Srilatha to the Complainants, the malpractices acts committed by the Opposite Parties Hospital, required to be curbed in the better interest of the society and their medical license is to be cancelled apart from granting reasonable compensation to the Complainants. Dr. Sai Kumar, who had been attended and treated the

deceased Srilatha from the day one of her admission in the 1st Opposite Party hospital till discharge is not a Qualified Doctor and more-over he is a Fake Doctor for which a Crime in FIR No. 1512 of 2020 was registered at L.B. Nagar Police Station and also another case has been registered in Meerpet Police Station. The 1st Opposite Party without any Proper verification with malicious mind and in collusion with 2nd Opposite Party, employed an un-qualified and inefficient person who has not even been armed with M.B.B.S ., degree and allowed him to treat the innocent patients and as a result of which the patient was administered with “Tocilizumab” injection without any proper supervision and as such the patient was affected with “Pulmonary Fibrosis” which leads to her death. The Pulmonologist Dr. ILYAS who said to have visited the patient and treated as per the Medical Bills, never attended the deceased T. Srilatha and only 2nd Opposite Party attended the Patient in the capacity of General Physician with the permission of the 1st Opposite Party. The Patient was discharged without curing the decease by endorsing on the Discharge summary “Discharged at our Request”, but the fact remains that after noticing the fact that we exhausted our funds/ Paying Capacity, the Hospital authorities suggested that, it is all-most cured and home treatment can be made, to avoid further charges and on their advice only the Patient was discharged. The Patient was taken to Second Consultation with Aware Global Hospital, after the discharge from the 1st Opposite Party hospital and wherein Dr. Sudheer Prasad, Pulmonologist at Aware Global Hospital, attended the Patient and found that she had been attacked with “Pulmonary Fibrosis” and expressed that the Complainant will buy time by using the Medicines but, her life cannot be saved. He used to prescribe the medicines and we got used them and finally, the patient was died due to the mishandling of an un-

qualified, fake Dr. Sai Kumar (Opposite Party No.2) who acted as a General Physician with the kind Consent of the 1st Opposite Party in their Hospital. Instead of giving treatment with Qualified Doctors, the Management of the 1st Opposite Party concentrated their main attention to squeeze the money from the attendees of the Patients in the name of Counselling, Consultation and Pathological tests and enforcing them to pay for high Costly medicines though not required which later arrived to ICU are shifted to some other room and stored which indeed results in looting the money from patient attendees. The entire inpatient treatment of the patient has been carried-out by the said Dr. Sai Kumar, the so called General Physician, who had later found to be a fake doctor where the deceased was administered, with wrong medicine like “Tocilizumab” without any proper supervision. The Opposite Parties are being managing and running their hospital not only with un-qualified Persons who are none-other than fake Doctors but also playing with the lives of the Patients by attracting gullible public with their big hoardings and advertisements. The defective services upon the part of the Opposite Parties made the Complainants to incur irrevocable loss of their beloved family member and the same cannot be compensated in any other manner and as such the Complainants claiming the compensation as shown hereunder: -

1.Hospital expenditure incurred	Rs.	13,27,069.00
2.Subsequent Medication	Rs.	01,00,000.00
3.Transportation	Rs.	50,000.00
4.Future earnings of the deceased	Rs.	24,22,931.00
5.The Loss of Love and Affection	Rs.	10,00,000.00
6. Loss of Consortium	Rs.	2,00,000.00
7. Incidental & Legal Expenses	Rs.	1,00,000.00

Total	Rs.	50,00,000.00

All the receipts and Medical Bills at the Hospital are filed herewith under a separate Bunch for which the Opposite Parties are held liable for rendering their deficient and defective service and also for negligent treatment that caused the death of the beloved family member of the Complainants.

2. The 1st Opposite Party filed their Written Version through its Managing Partner Smt. Dr. B. Durga Rani by denying all the allegations made under the Complaint except those that are specifically admitted hereunder. All the averments made under the Complaint are false, frivolous, vexatious and fabricated and neither maintainable either in Law or on Facts for which the complaint in hand is liable to be dismissed. The Complainants with an ulterior motive and with malicious intention to have an unlawful gain for themselves and to cause wrongful loss to this Opposite Party filed the present Complaint on all untenable grounds for which the Complaint is liable to be dismissed with exemplary Costs. After discharge of 72 days Smt. T. Srilatha died, for which neither any negligence shall be attributed to the 1st Opposite Party in treating for her decease. The Complainants cannot be termed and treated and treated as the husband and Son of the Late Smt. T. Srilatha. It is a fact that Smt. T. Srilatha during the 1st Phase of Covid – 19 pandemics in September, 2020 was admitted in this 1st Opposite Party Hospital for treatment brought by the 2nd Opposite Party claiming that he is running a Clinic at Meerpet and Smt. T. Srilatha is his Patient and that she has to be admitted in the Hospital and accordingly she was admitted in the Hospital of the 1st Opposite Party vide I.P. No. 1879 and treated her and it true that she was discharged from the 1st Opposite Party Hospital on 26th September, 2020. *It is specifically denied that the 2nd Opposite Party Dr. Sai Kumar treated the patient Smt. T. Srilatha when she was admitted in the 1st Opposite Party Hospital and in fact the*

2nd Opposite Party Dr. Sai Kumar never worked in the Hospital of the 1st Opposite Party and he is not the duty Doctor but he was given respect as he claimed that he is the Physician and Smt. Srilatha is his Patient that's why he is accompanied her and to create confidence in her, therefore his name is mentioned as Dr. Sai Kumar, Physician but the patient was treated by 'Pulmonologist, Cardiologist' and though the 1st Opposite Party is having Physician of its employed one but at the request of the 2nd Opposite Party to get his money from his brought patient his name was shown. In fact, Pulmonologist treated Smt. T. Srilatha as she was suffering with Fever and her lungs were also affected with Corona (Covid-19) disease when she was admitted in the 1st Opposite Party Hospital on 6th September, 2020 and she has undergone the treatment for 20 days and on her / relatives request against to the advice of the Hospital Doctors got discharged the Patient Smt. T. Srilatha, as by then Smt. T. Srilatha was improving from the Covid-19 effect but she has not recovered totally but was compelled to discharge on the request of the attendants by handing over all bills along with the Discharge Summary. It is specifically denied that the subjected patient was treated by Dr. Sai Kumar, who is the 2nd Opposite Party, in the 1st Opposite Party Hospital as he is not the Doctor of the 1st Opposite Party Hospital. The deceased was treated for 20 days having stay with the 1st Opposite Party Hospital as in-patient and an amount of Rs. 13,27,069/- has been charged towards hospital bill at the time of her discharge. It is relevant to mention that when the patient died after 72 days after discharge from this Opposite Party Hospital, it has no concern and relevancy to claim without disclosing how the Patient condition was after discharge, later when treatment was taken for how long taken and what are the laboratory tests made and who is the Doctor treated time to time for the said 72 days and

who was the condition of the Patient for those 72 days not disclosed after the discharge before her death and the said aspect are silent. For the negligence on the part of the husband and Son of the deceased Smt. T. Srilatha this Opposite Party cannot be held labelled that there is negligence on the part of 1st Opposite Party Hospital and wherein its license cannot be cancelled as no malpractice Occurred in the Hospital of the 1st Opposite Party as alleged by the Complainants. Neither any deficiency of service nor negligence in treating the patient has been made-out by the Complainants against the Opposite Party for which the Complaint is liable to be dismissed. This Opposite Party also came to know about the registering the said Crimes, but the said Dr. Sai Kumar never worked in this Opposite Party Hospital. If a glance is being given to the discharge summary which reads as under *“PATIENT CAME WITH COMPLAINTY OF (C/O) FEVER WITH SOB (BREATHLESS NESS) SINCE 4 DAYS FOR WHICH SHE ADMITTED UNDER PULMONOLOGIST AND INTRAVENUS (IV) MEDICATION’S OXYGEN (O2) SUPOPOORT STARTED SHE IS IMPROVING NEED FURTHER STAY IN HOSPITAL BUT THEY WANT TO GET DISCHARGED SO DISCHARGED ON REQUEST”*. The above said report categorically establishing pulmonologist and IV (intravenous) medications support started and she is improving and need further staying in the Hospital even then got discharged the patient subsequently where treatment was taken in which Hospital and which Doctor treatment and how long treated whether treated at home or in the Hospital not stated and against to the medical advice got discharged and fault and negligence is on the part of the Complainants that cannot be attributed to the 1st Opposite Party for their illegal gain. As the Complainants failed to made-out any deficiency or negligence in treating the patient as claimed under the Complaint, this Complaint is liable to be

dismissed with exemplary costs. None appears for the 2nd Opposite Party despite service of notices and no Written Version is filed. Hence the 2nd Opposite Party was set-exparte.

3. Evidence Affidavit of the 1st Complainant was filed by examining himself as Pw-1 on his behalf and also on behalf of the 2nd Complainant. Ex. A-1 to A-6 was marked for the Complainant. The Complainants filed Evidence Affidavit of Martha Yadagiri S/o. Ramaswamy by filing his third-Party Affidavit and examining him as Pw-2 in support of their Evidence and filed three documents out of which (Two Documents i.e. Discharge Summary of Ramaswamy and FIR in Cr. No. 1540 of 2020 of P.S. L.B. Nagar) has been marked as Ex. C-1 and C-2 in support of their case while pronouncing the Judgment which established that the 1st Opposite Party hospital engaged 2nd Opposite Party who is not a qualified Doctor and permitted him to treat their Patients despite the 2nd Opposite Party is a Fake Doctor and extracted money from the Public. Neither any Evidence Affidavit on oath filed for the 1st Opposite Party to substantiate the pleadings and no documents has been filed. Written Arguments of the 1st Opposite Party is filed. Heard for the Parties. Perused the record. Considering the facts of the case, the points to be answered for determination are: -

1. Whether the Complainants made-out any deficiency of service or negligent in treating the Patient Mrs. T. Srilatha by the 1st Opposite Party hospital by engaging the Services of Fake Doctor Sai Kumar General Physician who is the 2nd Opposite Party hereinabove as claimed under the Complaint?
2. Whether the Complainants are entitled for the relief sought under Complaint?
3. To what relief?

POINT NO. 1 AND 2: -

1. It is an admitted fact that Ex. A-1 is the Discharge Summary of the Patient Mrs. T. Srilatha who admitted in 1st Opposite Party

Hospital on 6th September, 2020 and Discharged on 26.09.2020. The deceased patient under Ex. A-1 is the Wife of the 1st Complainant and Mother of the 2nd Complainant wherein Dr. Sai Kumar, Physician and Dr. Srinivas, Pulmonologist was the Doctors who treated the patient and Dr. Sai Kumar (Physician) was the Consultant Unit Chief. As per the Principal Diagnosis recorded under Ex. A-1 Discharge Summary "B/c Pneumonia ARDS, H.T.N., Covid -19 (+ve) and Discharge Summary: Patient Came with c/o. Fever with SOB since 4 days for which she admitted under Pulmonologist and Iv medications O2 support started. She is improving need further stay in hospital but they want to get discharged so discharged on request.

2. Ex. A-2 is the bunch of Pathological Tests Reports and Ex. A-3 is Hospital Final Bill and Ex. A-4 is Copies of payment receipts and Ex. A-5 is the other Prescriptions of the deceased Patient.
3. Ex. A-6 is the FIR in Cr. No. 1512 of 2020 dated: 14.12.2020 issued by the P.S. L.B. Nagar L & O under Section 304-II, 336, 384, 420 R/w. 34 I.P.C. against the 1st and 2nd Opposite Parties on the Complaint of Sri E. Varun Kumar wherein it was established that the 2nd Opposite Party hereinabove who said to be a Accused person alleged to be a Fake Doctor viz- Dr. Sai Kumar who treated to the deceased Patient Mrs. T. Srilatha with the shield and protection of the 1st Opposite Party has been neither denied by the 1st Opposite Party by filing any Affidavit on oath to prove their pleadings. Mere Pleadings without proof on oath carry no evidentiary value and cannot be relied upon to deny negligence or deficiency in service.
4. The Complainant also filed additional Evidence on oath by examining Martha Yadagiri S/o. M. Ramaswamy as P.W-2 with supporting documents Ex. C-1 is the Discharge Summary (Xerox Copy) in which he got treated his father M. Ramaswamy

with the 1st Opposite Party Hospital as inpatient from 09.09.2020 to 24.09.2020 and during the said relevant period his father also treated by Dr. Sai Kumar, who had been later known to him as “Fake Doctor”. The Hospital authorities themselves filed a Police Complaint against the said Fake Doctor under Cr. No. 1540 of 2020 before P.S. L.B. Nagar under Section 420 IPC to safe-guard their skin. The treatment given to the patient T. Srilatha, who is the wife of the 1st Complainant and mother of the 2nd Complainant in this C.C., by the 2nd Opposite Party with the 1st Opposite Party hospital during the relevant time of his father’s treatment.

5. The Complainants proved their case against the Opposite Parties in respect of their negligent acts and deficiencies in services and defective treatment committed by the 1st Opposite Party by engaging un-qualified and Fake Doctors by filing all their evidences on oath and also by filing Para-wise chronological events in support of their Evidence Affidavit on oath but whereas the Opposite Parties failed to file their Evidence in support of their pleadings which has got no credence at all.
6. The 1st Opposite Party evaded to file Evidence Affidavit despite imposed Costs and not even paid Costs. The 1st Opposite Party filed interrogatories wherein the 1st Complainant had replied to the Interrogatories of the 1st Opposite Party in support of their Evidence Affidavit explaining the events in Chronological order.
7. The 1st Opposite Party filed Objections for interrogatories given by the Complainant on 8th December, 2025 vide SR No. 1918 and wherein the Complainants filed Para Wise Reply to the Objections and replies filed by the 1st Opposite Party interrogatories on 16th January, 2026 vide SR No. 87. Admittedly Ex. A-1 discharge Summary of the deceased T. Srilatha and Ex. A-6 FIR in 1512 of 2020 of P.S. L.B. Nagar L &

O Police Station and Ex. C-2 FIR Copy in support of Evidence Affidavit on oath of PW-2 has proved the negligence in treating the deceased patient on the part of the Opposite Parties. Written Arguments of the 1st Opposite Party without there being any Evidence Affidavit on their behalf shall not be looked into on the premise that mere Pleadings without proof on oath carry no evidentiary value and cannot be relied upon to deny negligence or deficiency in service.

8. It is fact that the 1st opposite party acted very negligently in treating the deceased Patient who is the Wife of the 1st Complainant and mother of the 2nd Complainant and made them to expand more than an amount of Rs. 13,27,069.00 by engaging the 2nd Opposite Party (Fake Doctor) service for which negligent acts upon their part, the Complainants lost their beloved family member for which we are under the considered opinion that it is just and reasonable to allow this Complaint by awarding Rs. 40,00,000/- towards refund of Hospital Charges, Compensation, Consortium, Loss of Love and affection from the deceased and damages that cannot be compensated as apportioned hereunder. Both the Complainants have filed a Joint Affidavit on 17th April, 2026 vide Sr.No. 810 of 2026 to look-after the Well-being of Kumari T. Lavanya who is the daughter of 1st Complainant and deceased Smt. T. Srilatha who is unable to participate in the proceedings in view of her ailment.

POINT NO. 3: -

In the result, the Complaint is allowed in part, directing the Opposite Parties jointly and severally to: -

1. Pay Rs. 40,00,000/- (Rupees Forty Lakhs only) towards refund of Hospital Charges, Compensation, Consortium, Loss of Love

and affection from the deceased and damages that cannot be compensated; as apportioned hereunder: -

- i. Out of which, the 1st Complainant is entitled for an amount of Rs. 25,00,000/- (Rupees Twenty-Five Lakhs only).
 - ii. The 2nd Complainant is entitled for an amount of Rs. 15,00,000/- (Rupees Fifteen lakhs only).
 - iii. Both the Complainants shall look-after the Well-being of the daughter of the 1st Complainant and Sister of the 2nd Complainant who is ailing and unable to participate in the Proceedings.
2. Pay Rs. 25,000/- (Rupees Twenty-Five Thousand only) towards costs of the litigation.
 3. Time for Compliance is 45 days from the date of receipt of this order; in default interest @ 12% p.a. shall carry under the award granted in item No. 1 from the date of default till its realization.

Dictated to Typist, typed by her, corrected and pronounced by us in the open Commission today the 17th day of April, 2026.

Sd/-
MEMBER

Sd/-
MEMBER

Sd/-
PRESIDENT

APPENDIX OF EVIDENCE

Witnesses examined for 1st Complainant:-

Sri T.Sriramulu (PW1)
Sri Martha Yadagiri (PW2)

Witnesses examined for Opposite Parties:-

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Exhibits marked on behalf of the Complainants:-

Ex.A1: is the copy of Discharge Summary, Dt:26.9.2020

Ex.A2: is the copy of bunch of pathological tests

Ex.A3: is the copy of IP final bill, dt:26.9.2020

Ex.A4: is the copies of Receipts

Ex.A5: is the copies of other Prescriptions

Ex.A6: is the copy of FIR, dt:14.12.2020

Exhibits marked through PW-2 as Ex.C1 & EX.C2

Ex.C1: is the copy of Discharge Summary of Ramaswamy

Ex.C2: is the copy of FIR in Cr. No. 1540 of 2020 of P.S. L.B.
Nagar, dt:19.12.2020

Exhibits marked on behalf of the Opposite Parties:-

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Sd/-

MEMBER

Sd/-

MEMBER

Sd/-

PRESIDENT