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Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference: WBCERC/WMID/2026/026

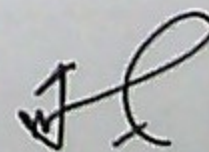
Ms. Shital Nayek Complainants

vs

Serum Analysis Centre Pvt Ltd Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	15/07/2026	The complaint would relate to wrong report in a case of Thalassemia Test. The complaint would reveal, Champa Nayek, the pregnant lady gave her sample to a pathological laboratory whose name is not known to her for “Thalassemia & Haemoglobinopathies Assessment by HPLC” upon payment of Rs. 1,500/-. The lady was assured, the test would be done by Serum Analysis Centre. After the test was

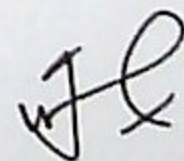


		done she got the report from the laboratory on the letter head of Serum Analysis Centre Pvt. Ltd, the patient was "Sickle Cell Trait, ID 30966" Subsequently, on a repeat test in another laboratory, later report showed "Normal". Hence, this complaint.
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We have heard the husband of the patient Mr. Ramesh Nayek. He is not in a position to share the particulars of the laboratory where the sample was given.

Serum Analysis Centre is present online, they would admit that the report was done by them.

Our esteemed member Dr. Maitrayee Banerjee has interaction with Dr. Debjit Banerjee, the concerned pathologist.

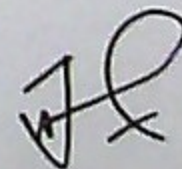


In course of interaction it appears that there had been mistake on the part of Serum Analysis Centre.

The test was done in a machine however, there was no harmonisation by testing the sample in three machines as they claimed in their response. However, in course of hearing, we come to know, the test was done in a centre where there was only one machine, so question of harmonisation did not arise.

It also appears, when the centre found that the patient was Thalassemia trait they did not go for a re-check by taking a fresh sample.

According to Dr. Banerjee, since the



		report is wrong and the result is disastrous the pregnant lady should get appropriate compensation. However, the Law would not permit us to award such compensation against the Serum Analysis Centre as there was no privity of contract between the complainant and / or the pregnant lady and the Serum analysis Centre. At the same time, we cannot be a mere onlooker when we find apparent mistake on the part of the establishment. We impose penalty of Rs. 50,000/-. The Serum Analysis Centre is directed to pay such amount to Ramkrishna Sarada Mission Matri Bhawan and share a copy of the receipt with the complainant as well the
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Commission.

The complaint is disposed of accordingly.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Makhan Lal Saha – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Smt Madhabi Das – Member

Authenticated
[Signature]
Secretary
West Bengal Clinical Establishment
Regulatory Commission