

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference: KOL/2019/000607

Nemai Chandra Chandra Complainant

VS

Suraksha Diagnostic Pvt. Ltd..... Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	13/06/2019	<p>This complaint would indicate tremendous sufferings the petitioner had to undergo for a simple pathological test that he wanted to have at the pathological laboratory belonging to the clinical establishment. The petitioner's daughter suffered an injury that was to be repaired through surgical intervention and as a pre-operative checkup, she was advised investigation including serology report for which the petitioner approached the clinical establishment with the blood sample. He was asked to come on the next date to collect the report. When he went there on the next day he was surprised to see, the report was not available. Subsequently, he was called back by a phone call, asking for a fresh blood sample as the first investigation was not successful. The centre's representative visited the house of the petitioner to collect the blood sample on the next day, even the second investigation was not successful. Ultimately, the petitioner had to do the test from another agency so that the report could be made available before the surgery. It is a pathetic case, where a pathological laboratory could not deliver service. The legal representative of the institute would however contend, the complain is not at all justified as of date as the patient had already received back the investigation charge and agreed to withdraw her complain. She has</p>

submitted a photocopy of a letter, dated April 13, 2019 signed by the patient herself that may be kept on record.

She would contend, the establishment is ready to tender apology as suggested by the Consumer Protection Forum in a parallel proceedings. However, the second blood sample was collected for better report that the laboratory was trying to offer to the patient party.

We are not at all impressed by the submission of the clinical establishment. The charges have already been refunded. We direct the clinical establishment to offer written apology within a week from date to be sent by speedpost. We also direct the diagnostic centre to pay a token penalty of Rs. 3000/- that may be deposited with the pathological laboratory run by Bharat Sevashram Sangha, Ballygunge within a week from date and submit the receipt to the Commission within a week thereafter.

Complaint is disposed of accordingly.

Sd/-

Hon'ble Chairperson

Sd/-


Dr. Sukumar Mukherjee, Member

Sd/-

Dr. Makhanlal Saha, Member

Sd/-

Dr. Madhusudan Banerjee, Member

Authenticated


ARSHAD HASAN WARSI
WBCS (Ex)
Secretary
West Bengal Clinical Establishment
Regulatory Commission
&
Joint Secretary
Health & F.W. Department