

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference: INT/PAB/2022/164

Mr. Biswajit Mukherjee Complainant

vs

Astha Health Care, Burdhaman (West) and Apollo Diagnostic, Asansol.....

Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	31/08/2022	<p>The complaint would relate to anomaly in the result of Calcium and Phosphorus examination. Dr. Maitrayee Banerjee, Bio Chemist, esteemed Member of the Commission, would observe that the anomaly might have occurred because of contaminated sample and improper collection.</p> <p>The sample was collected. However, it was sent to the laboratory without maintaining appropriate temperature.</p> <p>The collection centre would however, deny such allegation. According to them, they have taken due care. Yet, there were some mistakes.</p>



		<p>Record would reveal, they had already offered for retest however, by that time the complainant had the test done at a different establishment.</p> <p>We direct refund of the examination cost. We also impose a token penalty of Rs. 5,000/- and caution the CE being the collection centre, in future, they must follow appropriate guideline and protocol for preservation of the sample.</p> <p>The complainant, would however, claim the entire cost of the treatment because of the mistaken report. We do not find any justification in such claim. All reports are subject to Clinicians corroboration. Clinician already doubted the report and no wrong treatment was done on the basis of the mistaken report. Hence, the contention of the complainant cannot be accepted.</p> <p>The complainant is directed to share his bank details so that compensation can be sent to his account.</p> <p>The complaint is disposed of.</p>
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