

Office of the West Bengal Clinical Establishment Regulatory Commission

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**Case Reference: INT/NPG/2023/007**

Ms. Anamika Bose ..... Complainant

vs

Apollo Multispeciality Hospital Ltd and AMRI, Saltlake.....Respondent/  
Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	30/01/2023	<p>The incidence of admission was three years ago. The complainant would contend, she was not aware of the existence of the Commission hence, the delay.</p> <p>We are not convinced.</p> <p>For ends of justice, we go into the merits of the matter.</p> <p>The complaint would relate to billing. According to the complainant, because of exorbitant billing her insurance company did not entertain the same.</p> <p>Such complaint cannot be entertained by us. This would be a question to be entertained by Ombudsman</p>

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*[Signature]*

insurance . The complainant would be free to approach the appropriate authority.

Since the complaint would relate to two establishments we have examined both the bills as a cash patient. We find, in case of Apollo a sum of Rs. 3,404/- rounded off at of Rs. 3,400/- should be granted as refund whereas in case of AMRI, Salt lake Rs. 4,693/- rounded off at Rs. 4,700/-, should be payable as refund.

Dr. Bhattacharjee representing the AMRI, Salt Lake would contend, the admission would relate to a period when there was no Advisory. Ms. Ghosh representing Apollo would support such contention of Dr. Bhattacharjee .

We feel, those Advisories were necessitated during Covid period as the Commission found the cost exorbitant in some cases and issued appropriate direction on the CE. Such principle would also be applicable in a case of the like nature where complaint is filed much

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after the issuance of the Advisory.

The complainant is directed to share her bank details with both the CEs so that money could be transferred to her account.

In case of Apollo, Hon'ble High Court proceeding is pending relating to Advisories issued by us. Ms. Jashodhara Ghosh, Vice President of the CE would contend, in view of pending litigation they should be granted appropriate opportunity to hold the payment.

We permit Apollo to do so. However, in case Apollo would pay the amount as directed above, that would be strictly without prejudice to their rights and contentions in the pending proceeding before the Hon'ble High Court.

The above direction for payment would however, not preclude the complainant to approach the appropriate authority on the insurance issue.

The complaint is disposed of.

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			<p>Sd/- The Hon'ble Chairperson</p> <p>Sd/- Prof. (Dr.) Sukumar Mukherjee – Member</p> <p>Sd/- Prof. (Dr.) Makhan Lal Saha – Member</p> <p>Sd/- Dr. Maitrayee Banerjee – Member</p> <p>Sd/- Smt Madhabi Das – Member</p> <p><i>Authenticated</i> <i>[Signature]</i> Secretary West Bengal Clinical Establishment Regulatory Commission</p>
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