

Office of the West Bengal Clinical Establishment Regulatory Commission

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**Case Reference:INT/SPG/2023/015**

Mr. Palash Mondal ... ..... Complainant

vs

NOVA IVF Fertility.....Respondent/ Respondents

**ORDER SHEET**

Office Note	Order No.	Date	Order
	1.	27/02/2023	<p>This complaint would relate to failed IVF procedure for which the complainant had to pay Rs. 3,00,000/- as claimed by him. The complaint would reveal, there had been four embryos fixed for the purpose of transfer.</p> <p>According to the CE, three embryos had already been transferred. One was found not proper for transfer.</p> <p>The complainant would contend, the CE transferred two embryos at a time without his consent. Had there been one more embryo left there could be one more chance being availed.</p> <p>The CE would contend, as per the protocol, they transferred two embryos at a time as those were in order. That could only be found once the embryos was warmed</p>



		<p>just before transfer. Hence, it is not possible for them to know beforehand whether one embryo would be used or two at a time. In this case two embryos were transferred and the prospective mother signed the documents of transfer as would appear from the transfer documents shown by the CE online.</p>
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On our request Dr. Runa Bal, Professor, Gynaecology, NRS Medical College and Hospital is present. Our esteemed medical members are in full agreement with Dr. Bal that IVF is not a sure attempt to have successful transfer resulting in pregnancy. The complainant would also admit, he was properly counselled that there would be fifty fifty chance of success.

On our request, the CE is agreeable to have the procedure done again from the stage of collection fresh embryos at a reduced cost. They have also offered to give fifty per cent discount on that score. On our request they have ultimately agreed to seventy five per cent discount. The complainant is however, adamant not to avail such



opportunity. He would rather demand refund of fifty per cent of the cost so that he can approach other organisation for the self same procedure.

We do not intend to give credence to what the complainant has contend. His suggestion is unfair particularly when on our request, the CE is agreeable to give seventy five per cent discount for the entire process de novo.

We dispose of the complaint without any interference.

Sd/-  
The Hon'ble Chairperson

Sd/-  
Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-  
Prof. (Dr.) Makhan Lal Saha – Member

Sd/-  
Dr. Maitrayee Banerjee – Member

Sd/-  
Sri. Sutirtha Bhattacharya, IAS (Retd)- Member

Sd/-  
Sri S. K. Thade, IAS (Retd) – Member

Sd/-  
Smt Madhabi Das – Member

*Authenticated*  
*[Signature]*

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