

Office of the West Bengal Clinical Establishment Regulatory Commission

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Case Reference: INT/KOL/2023/089

Mr. Vinay Misra Complainant

vs

Bio-Speciality Assay Lab Pvt. Ltd..... Respondent/ Respondents

ORDER SHEET

Office Note	Order No.	Date	Order
	1.	05/06/2023	<p>The complainant was having cardiological problem. He was under treatment of the concerned cardiologist, who advised him Rozavel 40 mg on August 18, 2022 as we find from his prescription shown to us online.</p> <p>We also find, a prescription of the same doctor given to us advising Rozavel 40 mg on March 28, 2023.</p> <p>The complainant has come before us questioning the investigation report of LDL cholesterol dated March, 25, 2023 that would show the value as 104 whereas the next examination at another clinic on April 07, 2023 came as 51. in case a patient is already having a drug doctor would always advise the patient to continue. In this case doctor prescribed the particular drug making remark “to</p>

continue" only in case of diabetic drugs and not this one. The patient is a high risk patient as we find from the noting of the concerned doctor.

He is also present online. He was under constant treatment of the same doctor. However, we do not find any prescription immediately before March 28, 2023. Pertinent to note, the test, result of which is questioned, is dated March 25, 2023. The next report is dated after a fortnight and that might have a change in the vitals due to the medicine prescribed by the doctor on March 28, 2023 that would include Rozavel 40 mg.

The complainant is consistently saying, he is already having that medicine for a long time and there could not have been a different effect within two weeks that would reduce LDL cholesterol to 50%.

The complainant might be correct, we do not know. We are not having any assistance of a prescription immediately before March 28, 2023 wherefrom we could convince ourselves that he was already on Rozavel 40 mg

when the sample was drawn on March 23, 2023.

The complainant would contend, he was going to have particular injection that would cost Rs. 1,00,000/- on the basis of the disputed report however, he did not take that injection. The CE would contend, that injection has not yet come in the market and still under medical trial.

We do not find any scope to interfere.

The complaint is disposed of.

Sd/-

The Hon'ble Chairperson

Sd/-

Prof. (Dr.) Sukumar Mukherjee – Member

Sd/-

Prof. (Dr.) Makhan Lal Saha – Member

Sd/-

Dr. Maitrayee Banerjee – Member

Sd/-

Smt Madhabi Das – Member

Authenticated
S. P. Das
13/06/2023.

Secretary
West Bengal Clinical Establishment
Regulatory Commission