DMC/DC/F.14/Comp.2726/2/2023 05th December, 2023

**O R D E R**

The Delhi Medical Council through its Disciplinary Committee examined a complaint of Mohd. Mohsin, r/o- 1696, Gali Takhti Wali, Sui Walan, Daryaganj, Delhi-110002, alleging negligence in the preparation/examination of Transthoracic Echo–Doppler report of complainant’s son Mohd. Arhan by Dr. M.K. Gupta and Dr. Avinash, Focus Imaging and Research Centre, Pvt. Ltd., C-10, H-10, Green Park Extension, New Delhi-110016.

The Order of the Disciplinary Committee dated 14th September, 2023 is reproduced herein-below:-

The Disciplinary Committee of the Delhi Medical Council examined a complaint of Mohd. Mohsin, r/o- 1696, Gali Takhti Wali, Sui Walan, Daryaganj, Delhi-110002 (referred hereinafter as the complainant), alleging negligence in the preparation/examination of Transthoracic Echo–Doppler report of complainant’s son Mohd. Arhan (referred hereinafter as the patient) by Dr. M.K. Gupta and Dr. Avinash, Focus Imaging and Research Centre, Pvt. Ltd., C-10, H-10, Green Park Extension, New Delhi-110016.

The Disciplinary Committee perused the complaint, written statement of Dr. M.K. Gupta, Dr. Avinash Kumar, copy of medical record of Focus Imaging and Research Centre Pvt. Ltd. and other documents on record.

The following were heard in person :-

1) Shri Mohd. Mohsin Complainant

2) Shri Nadeem Brother of the complainant

3) Dr. M.K. Gupta Consultant, Focus Imaging and Research Centre Pvt. Ltd.

4) Dr. Avinash Consultant, Focus Imaging and Research Centre Pvt. Ltd.

The Disciplinary Committee noted that Medical Superintendent, Focus Imaging and Research Centre, Pvt. Ltd. failed to appear before the Disciplinary Committee, inspite of notice.

The complainant Mohd. Mohsin alleged that his son Mohd. Arhan (the patient), 03 years old male child, who was sick, underwent transthoracic ECHO Doppler at Focus Imaging and Research Centre, Pvt. Ltd., which was reported on 01st February, 2019, gave a wrong impression that the child was suffering ACHD-small subaortic VSD with left to right shunt small PDA with left to right shunt. He, therefore requested to the doctors of Focus Imaging and Research Centre, Pvt. Ltd. to re-examine the report. The doctors on re-examination, re-confirmed their earlier report. Thereafter, they consulted the doctors at G.B. Pant Hospital, Ram Manohar Lohia Hospital, Sir Ganga Ram Hospital and Escort Hospital, who confirmed that the child was not suffering from ACHD-small subaortic VSD with left to right shunt small PDA with left to right shunt, as was claimed in the report of Focus Imaging and Research Centre, Pvt. Ltd. Because of this wrong report, he and his family underwent lot of trauma and had to consult at different hospitals. The doctors of Focus Imaging and Research Centre, Pvt. Ltd. refused to admit their mistake. It is, therefore, that strict action be taken against the doctors of Focus Imaging and Research Centre, Pvt. Ltd.

Dr. M.K. Gupta, Consultant Cardiologist, Focus Imaging and Research Centre Pvt. Ltd. in his written statement averred that the precise report was prepared as per the real-time findings during the course of the examination of the patient Mohd. Arhan. Moreover, as per request of the patient’s family, he had re-examined the patient and confirmed the same findings, for which, he had not charged anything from the patient. And during the first-time registration, the patient was charged with discounted price for the above said examination as per their request on the humanitarian ground.

Dr. Avinash Kumar, Consultant Radiologist, Focus Imaging and Research Centre Pvt. Ltd. in his written statement averred that the precise report was prepared by Dr. M.K. Gupta with his assistance as per the real time findings, during the course of the examination of the patient Mohd. Arhan. As per request of the patient’s family, they re-examined the patient and confirmed the same findings, for which, they have not charged anything from the patient. And during the first-time registration, the patient was charged with discounted price for the above said examination as per their request on the humanitarian ground.

In view of the above, the Disciplinary Committee observes that the patient Mohd. Arhan, three years, four months old male patient, presented to Kasturba Hospital, where systolic murmur was heard in left parasternal area. The patient was advised echo, which the patient got done from Focus Imaging and Research Centre Pvt. Ltd. The report showed a small VSD and PDA with PAH and TR. Since small VSD can close spontaneously and other hospital’s echo reports also show PAH with TR, the findings of Focus Imaging and Research Centre Pvt. Ltd. corroborate with echo done at other hospitals to a large extent. It may be that small VSD closed spontaneously in the intervening period between echocardiograms.

In light of the observations made herein-above, it is the decision of the Disciplinary Committee that no medical negligence can be attributed on the part of Dr. M.K. Gupta and Dr. Avinash, Focus Imaging and Research Centre, Pvt. Ltd., in the preparation/examination of Transthoracic Echo–Doppler report of complainant’s son Mohd. Arhan.

Complaint stands disposed.

Sd/: Sd/: Sd/:

(Dr. Maneesh Singhal) (Dr. Satish Tyagi) (Dr. Vimal Mehta)

Chairman, Delhi Medical Association, Expert Member,

Disciplinary Committee Member, Disciplinary Committee

Disciplinary Committee

The Order of the Disciplinary Committee dated 14th September, 2023 was confirmed by the Delhi Medical Council in its meeting held on 20th September, 2023.

By the Order & in the name of

Delhi Medical Council

(Dr. Girish Tyagi)

Secretary

Copy to :-

1. Mohd. Mohsin, r/o- 1696, Gali Takhti Wali, Sui Walan, Daryaganj, Delhi-110002.
2. Dr. Avinash Kumar, Flat No.-62, Ground Floor, Sector-18 B, Shree Awas Apartment, Dwarka, New Delhi-110078.
3. Dr. M. K. Gupta, E-192, Amar Colony, Lajpat Nagar IV, New Delhi-110024.
4. Medical Superintendent, Focus Imaging and Research Centre Pvt. Ltd.C-10, H-10, Green Park Extension, New Delhi-110016.

(Dr. Girish Tyagi)

Secretary