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REGISTERED A.D./SPEED POST

To,

04.04.2018

- 1. Dr. Sangeet Taneja, Consultant**
Indraprastha Apollo Hospitals,
Sarita Vihar, Delhi –Mathura Road,
New Delhi – 110076.
- 2. Dr. Amarnath Jena, Sr. Consultant**
Indraprastha Apollo Hospitals,
Sarita Vihar, Delhi –Mathura Road,
New Delhi – 110076
- 3. Apollo Hospitals,**
Sarita Vihar, Delhi –Mathura Road,
New Delhi – 110076
Through its Chairmen/Managing Directors/MS
- 4. Mr. Anuj Gupta,**
The Pet Suite, Indraprastha Apollo Hospitals,
Sarita Vihar, Delhi –Mathura Road,
New Delhi – 110076.

**For and behalf of Our Client Mr. Michal Siemaszko, Resident of
Poland, Phone No. +48 723 039 978, having Email Id:
mhsiemaszko@fastmail.net&mhsiemaszko@7thraylabs.com**

**REGARDING: Misdiagnosis due to the error committed by
Department of Molecular Imaging & Nuclear Medicine of aforesaid
Hospital and due to the mistake committed by the aforesaid Doctors**

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Dear Sir,

Under instructions from and on behalf of our Client named above we address you as under: -

My client, resident of Poland, was assaulted in January 2014, which resulted in so far permanent bodily injury, symptoms of which include scar in left pelvic region caused by penetrating trauma as well as neurological, andrological and urological problems. Diagnostics my client underwent since that time concentrated mainly on urological problems, specifically urine retention problems, as well as sexual dysfunction. In order to obtain a comprehensive diagnosis, in February 2018 my client started a series of radiological and nuclear medicine diagnostic imaging tests; on 13.02.2018 my client underwent CT scan of pelvic at Radiology Center in Vienna, to be followed up with further more detailed CT & MRI studies. Report from that CT scan of pelvic from 13.02.2018 clearly correlated with medical problem being diagnosed, indicating: (...) *Skin scar is also detectable tomographically as low subcutaneous compression zone in the course via the proximal and anteriorportion of the tensor fascia latae muscle. (...) Severe cutaneous scarring (...) around the left superior anterior iliac spur and neighboring parts of the tensor fascia lata muscle. We recommend a consultation of a specialized centre for reconstructive peripheral nerve surgery (e.g. Millesi Center) after neurological testing. (...).*

Copy of Report is Appended here with as Annexure P-1

Thereafter my client, after contacting the addressee no. 4, Mr. Anuj Gupta, over the phone and email on February 9th in order to confirm availability of radiological and nuclear medicine diagnostic imaging tests, received email with confirmation from addressee no. 4 that required diagnostic imaging tests can be conducted at Apollo Hospital.

With written confirmation from Mr. Anuj Gupta regarding availability of diagnostic imaging services, preliminary CT scan done in Vienna, referrals for further tests, over the next several days my client made travel arrangements to visit New Delhi, India, in order to perform further diagnostic imaging studies – MR Neurography and Urography among several other – in order to collect sufficient data to comprehensively diagnose medical problem he needs solved.



On February 28th my client arrived in New Delhi and on the next day, March 1st, visited "The Pet Suite" / Department of Molecular Imaging & Nuclear Medicine of Apollo Hospital in New Delhi and spoke in person with Dr. Amarnath Jena for over one hour regarding diagnostic imaging tests to be performed.

My client presented referrals from his doctor, reports from previous tests, described symptoms he needed comprehensively diagnosed. Dr. Jena confirmed again to my client that all of the diagnostic imaging tests he needed done could be performed in Apollo hospital – including MR Neurography, Urography, soft tissue assessment around scar area, as well as 3D reconstruction and interpretation of data collected – and that those tests were to be done as part of whole body PET/MRI scan, i.e. both general and focused (Neurography, Urography, etc.) tests were to be done as part of one appointment.

As per instructions from Dr. Jena, my client booked nearest available appointment for PET/MRI test, i.e. March 5th 2018 at 8:00 AM. After his meeting, my client sent summary email to Dr. Jena and Mr. Anuj Gupta, to which he received a reply via email from Dr. Jena later that day.

On March 3th my client visited Indraprastha Apollo Hospital in order to do blood tests required for PET/MRI test – specifically, urea and creatinine. Later that day my client received email from Mr. Anuj Gupta asking regarding payment for PET/MRI test, to which my client replied, where he re-emphasized scope of tests to be performed on Monday, March 5th, i.e. MR Neurography, Urography, soft tissue assessment around scar area, etc.

Copy of email exchanged with you the addressees is Appended here with as Annexure P-2

On March 5th, after fasting as per requirements, at 8:00 AM my client picked up blood test results, deposited a sum of Rs.60,500/- vide Bill no.DEL-OCS-1729715 dated 05.03.2018 time : 8:08:03 – and came to "The Pet Suite" / Department of Molecular Imaging & Nuclear Medicine of Apollo Hospital in New Delhi for scheduled PET/MRI tests.

Copy of Bill is Appended here with as Annexure P-3

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There he spent well over 5 hours that day, including close to two hours in PET/MRI device. After test was finished, my client expected to receive DVD with DICOM data within 30 minutes, as is practiced in all diagnostic imaging centers, and was given contradicting information – some confirming he would receive DVD with DICOM data as is practiced everywhere else, some denying saying he'd have to wait until the next day. My client, expecting to receive DICOM data immediately after test, called Mr. Anuj Gupta and asked him what is the problem, to which Mr. Anuj Gupta first replied DVD with DICOM data would be available later that day, then few minutes later told my client that head of department does not allow for DVD to be released until the next day.

The next day, March 6th, late in the afternoon, my client visited "The Pet Suite" / Department of Molecular Imaging & Nuclear Medicine of Apollo Hospital in New Delhi and was given printed pictures, report and one of the DVDs with DICOM data; he was also told by Dr. A. Jena that there was some problem, details of which were not communicated, and that my client would receive DVD with remaining DICOM data the next day.

Report my client received that day from PET/MRI test performed on March 5th at "The Pet Suite" / Department of Molecular Imaging & Nuclear Medicine of Apollo Hospital in New Delhi, claims "(...) *No demonstrable soft tissue lesion in pelvis and inguinal region and no other metabolically active abnormality in the remaining whole body.* (...), i.e. that there are no issues whatsoever, completely contrary to what is actually the case, which was confirmed by several other tests done prior to March 5th test at "The Pet Suite" in Apollo Hospital and afterwards. Also, as it turned out DICOM data my client received was missing neurography sequences completely.

Copy of Report given by aforesaid addressee is Appended here with as Annexure P-4

In email communication with Mr. Anuj Gupta and Dr. A. Jena from Apollo Hospital, it was mentioned numerous times exactly which tests were to be conducted – including MR Neurography – all as part of "Whole Body PET/MRI" test my client underwent on March 5th. Since PET/MRI test done on March 5th 2018 at "The Pet Suite" / Department of Molecular Imaging & Nuclear Medicine of Apollo Hospital in New Delhi was apparently performed incorrectly – as report from that test was completely contradictory to reports from tests performed thus



far, including CT scan done on 13.02.2018 at Radiology Center in Vienna – on March 12th my client underwent additional testing – including MR Neurography, Urography, soft tissue assessment as well CT Urography – at Mahajan Imaging Center at E-19, Defence Colony, Main Ring Road, New Delhi - 24.

Report from MR Neurography test of pelvis my client performed that day at Mahajan Imaging clearly expands on findings from CT scan report from Vienna and further corroborates symptoms of medical problem my client needs solved, i.e.: (...) *Functional nerve imaging reveals hourglass-shaped restricted diffusion in the lateral cutaneous nerve of the thigh across the inguinal ligament (...) entrapment of the lateral cutaneous nerve of the left thigh due to scarring in the left tensor fascia lata with altered signal and restricted diffusion (...) thickening and altered signal in the left genitofemoral nerve (...)*

A perusal of the findings of both reports – i.e. from Radiology Center in Vienna and from Mahajan Imaging Center in New Delhi – clearly indicates it is report from Apollo Hospital that is erroneous.

Copy of Report given by Mahajan Imaging Centre is Appended here with as Annexure P-5

Surprisingly, due to apparent mistake by Doctors at "The Pet Suite" / Department of Molecular Imaging & Nuclear Medicine of Apollo Hospital in New Delhi, responsible for properly conducting and reporting test results, what was missed is not only severe cutaneous scarring, fascia compression, and nerve entrapment, but also lymphangioma in the abdomen of my client, whereas same is being found to be there in the reports conducted by other medical imaging centers.

The aforesaid act on the part of the aforesaid addressees clearly indicates that they have committed a mistake which is at par with the word "Wrong Treatment" and a real problem was being ignored by them as the same have harmed my client and addressees are liable for the injury caused to my client on their account of being negligent.

Furthermore, there is a liability upon the addressees as the patient had suffered injury on account of wrong diagnosis on the part of the addressees as my client had to conduct the same tests again with Mahajan Imaging Center and my client, being a resident of Poland, who had come to India specially after hearing the praises of



the medical professionals, had to suffer a lot due to misdiagnosis on the part of the aforesaid addresses who post receipt of taking the money either did not carry out the tests properly or gave a false report. The aforesaid addressees are liable for the breach of their duties.

The report given by the aforesaid addressees is contrary to the findings of reports from two other aforementioned medical imaging centers and as such aforesaid addresses are liable to refund a sum of Rs.60,500/- along with a sum of Rs.85,000/- on account of mental trauma and agony.

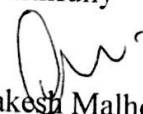
Failure of the proper diagnosis is an act of medical negligence which means the aforesaid doctors lacked in conducting the test diligently.

The addressees were informed and thus aware of the fact that my client is in India for a limited period of time, specifically extended his stay to allow for ample time to diagnose his medical problem comprehensively, and would be leaving India on 16.03.2018.

Needless to mention that the aforesaid addressees breached the applicable standard of performing tests owed to my client and failed to provide the proper diagnosis, resulting in damages being caused to my client which are direct and proximate result of wrong diagnosis by you the addresses.

In these circumstances my Client has instructed us to call upon you to refund a sum of Rs.60,500/- on account of incorrectly conducted PET/MRI test - along with a sum of Rs.85,000/- on account of mental trauma and agony - and a sum of Rs.11,000/- towards notice charges - for a total of Rs.151,500/- directly to his bank account number: PL45880400000051050007420004, SWIFT/BIC code: POLUPLPR, otherwise my client will initiate appropriate legal proceedings against you the addresses, the risks of which you may please note.

Yours Faithfully


Rakesh Malhotra

For TRITENT LEGAL)

Encl: All the Annexures as stated here in above