

News

The Madhya Pradesh High Court's denial of remedy to a distributor of Coldrif cough syrup is the most startling instance in medical history.



In Madhya Pradesh, at least 24 youngsters have passed away after ingesting the cough medicine.

In Rajpal Kataria v. The State of Madhya Pradesh and Others, the Madhya Pradesh High Court recently rejected an appeal by a pharmaceutical distributor contesting the sealing of his store and suspension of his license after multiple children died after receiving Coldrif cough syrup.

Chief Justice Sanjeev Sachdeva and Justice Vinay Saraf's Division Bench called it the "most shocking case" in medical history and affirmed the distributor's plea being dismissed by a single judge.

"The case in question is among the most startling in medical history, with up to 30 infants allegedly dying as a result of consuming Coldrif cold syrup. The Court stated that the deaths began to occur in August, September, and October.

At least 24 youngsters in Madhya Pradesh recently passed away after ingesting the cough medicine, according to media sources. A Special Investigation Team (SIT) was then established by the State government to look into the situation.

Govindan Ranganathan, the proprietor of Tamil Nadu-based Sresan Pharmaceuticals, Dr. Praveen Soni, a government physician who administered the medication at a hospital in Chhindwara, and numerous others have been detained in connection with the case. Many Indian states banned Coldrif when it was allegedly discovered to be tainted with excessive concentrations of hazardous diethylene glycol, which caused controversy throughout the country.

Authorities raided Kataria Pharmaceuticals in Jabalpur shortly after the deaths. Rajpal Kataria, a pharmaceutical distributor, then petitioned the High Court, claiming that his store had been sealed and that a show-cause notice had been sent on October 9 for the suspension and termination of his license in accordance with the Drug and Cosmetic Rules, 1945.

However, a solitary court recently denied Kataria's writ application after observing that the Drug and Cosmetic Rules, 1945's Rule 66 offers an appeal remedy against the actions of authorities.

The division bench accepted the single bench's opinion on November 25. It stated that Kataria has an effective alternative remedy, which is to file an appeal with the State government.

"The remedy under Article 226 of the Indian Constitution is a discretionary remedy rather than an absolute remedy. The learned Single Judge has declined to use his authority under Article 226 of the Indian Constitution in the particular case. We share the learned Single Judge's opinion that the Court should not use its discretion under

Article 226 of the Indian Constitution in this particular matter. If the appellant files an appeal with the State Government, the State Government has the right to consider all relevant facts and circumstances before making a decision on the appeal, the Court stated.

As a result, it rejected the appeal.

The petitioner was represented by attorneys Sahil Billa and Shree Pal Jain.

Anubhav Jain, an advocate, represented the State

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