



*The Commonwealth of Massachusetts*  
*Department of the State Treasurer*  
*Alcoholic Beverages Control Commission*  
*Boston, Massachusetts 02114*

*Deborah B. Goldberg*  
*Treasurer and Receiver General*

*Kim J. Gainsboro, Esq.*  
*Chairman*

MEMORANDUM AND ORDER ON LICENSEE'S  
REQUEST FOR RECONSIDERATION

**KHUSH ENTERPRISES, INC. DBA DESI DHABA**  
**401 MASSACHUSETTS AVE.**  
**CAMBRIDGE, MA 02139**  
**LICENSE#: 016600073**  
**VIOLATION DATE: 07/17/2013**  
**HEARD: 03/02/2016**

Khush Enterprises, Inc. d/b/a Desi Dhaba (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, December 15, 2015, regarding alleged violations of:

- 1) 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, §23 Sale of Alcoholic Beverages other than those purchased from a licensee under §18 or §19 or from a holder of a special license under §22A; and
- 2) M.G.L. c. 138 §23 Transfer of the privilege of a license without proper approval.

By decision dated December 17, 2015, the Commission found the Licensee in violation of the charges and indefinitely suspended the License effective forthwith until further written order from this Commission.

The Commission stated that it would consider issuing a further order upon written request of the Licensee showing good cause to reconsider this indefinite suspension and a hearing before the Commission that the Licensee attends. The December 17, 2015 decision specifically provided as follows:

The Commission will not issue any further order without a written request from the Licensee showing good cause to reconsider this indefinite suspension and a hearing before the Commission that the Licensee attends.

By letter dated January 8, 2016, the Licensee requested a hearing to reconsider the indefinite suspension. The Licensee attended a hearing before the Commission on March 2, 2016, and argued that good cause exists to reconsider the indefinite suspension.

There is one (1) audio recording of this hearing and two (2) witnesses testified. The Commission took administrative notice of the Commission records regarding this Licensee.

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The following documents are in evidence:

1. Licensee's Invoices for purchase of alcoholic beverages;
2. Affidavit of Ranjit Badwal;
3. Affidavit of Anil Kumar;
4. Safe Service Training Certificate for Ranjit Badwal; and
5. Safe Service Training Certificate for Najat Abdelbassit.

### CONCLUSION

The documents the Licensee provided convinced the Commission that the Licensee has fully complied with the prior order.

Based on the evidence presented at the hearing, the Commission reconsiders and reverses its prior order of **INDEFINITE SUSPENSION** of the license of Khush Enterprises, Inc. d/b/a Desi Dhaba **effective forthwith**.

The indefinite suspension is reconsidered and reversed to a suspension of time served from December 17, 2015 to March 3, 2016.

### **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Kim S. Gainsboro, Chairman

Kathleen McNally, Commissioner

Dated: March 3, 2016

You have the right to appeal this decision to the Superior Courts under the provisions of Chapter 30A of the Massachusetts General Laws within thirty (30) days of receipt of this decision.

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这份文件是重要的，应立即进行翻译。

cc: Local Licensing Board via email  
Frederick G. Mahony, Chief Investigator  
Christopher Temple, Investigator  
Derege Demissie Esq. via facsimile 617-868-2520  
Administration, File