



*Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
95 Fourth Street, Suite 3  
Chelsea, Massachusetts 02150-2358*

**Jean M. Lorizio, Esq.**  
*Chairman*

NOTICE OF SUSPENSION

June 11, 2025

**NIRAV, INC. D/B/A DARTMOUTH WINE & SPIRITS  
313 STATE ROAD  
DARTMOUTH, MA 02747  
LICENSE#: 00064-PK-0266  
VIOLATION DATE: 9/27/2024  
HEARD: 11/19/2024**

After a hearing on November 19, 2024, the Commission finds Nirav, Inc. dba Dartmouth Wine & Spirits violated M. G. L. Ch. 138, § 34C – Sale or Delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 count).

The Commission **SUSPENDS the license for a period of one (1) day.**

**The suspension shall be served on Monday, July 28, 2025.** The license will be delivered to the Local Licensing Board or its designee on Monday, July 28, 2025, at 9:00 A.M. It will be returned to the licensee on July 29, 2025.

You are advised that pursuant to the provisions of M.G.L. c.138 § 23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form which must be signed by the Licensee and a Massachusetts Licensed Accountant.

You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Jean M. Lorizio  
Chairman

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2024-000200-ad-enf

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Katherine McCormick Esq., Associate General Counsel  
Mark Kenny, Investigator  
Jamie Binienda, Investigator  
Matthew Porter, Esq.  
Administration, File



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Alcoholic Beverages Control Commission  
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*Chairman*

**DECISION**

**NIRAV, INC. D/B/A DARTMOUTH WINE & SPIRITS  
313 STATE ROAD  
DARTMOUTH, MA 02747  
LICENSE#: 00064-PK-0266  
VIOLATION DATE: 9/27/2024  
HEARD: 11/19/2024**

Nirav, Inc. dba Dartmouth Wine & Spirits ("Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, November 19, 2024, regarding alleged violation of M. G. L. Ch. 138, § 34C – Sale or Delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 count). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Kenny's Report.

The following documents are in evidence:

1. Investigator Kenny's Report;
2. ABCC Form 43, Transfer of License Approval. 12/24/2010;
3. ABCC Decision. 1/30/2020;
4. Licensee's Stipulation of Facts.

There is one (1) audio recording of this hearing.

**FINDINGS OF FACT**

1. On Friday, September 27, 2024, at approximately 10:00 p.m., Investigators Binienda and Kenny ("Investigators") inspected the business operation of Nirav, Inc. dba Dartmouth Wine & Spirits ("Licensee").
2. At approximately 10:15 p.m., Investigators observed a youthful appearing female individual enter the licensed premises and exit a few minutes later in possession of alcoholic beverages. Investigators approached, identified themselves and requested proof of legal age to purchase and/or possess alcoholic beverages.
3. Underage #1, actual date of birth 1/24/2005 (age 18), was in possession of 1 1.75-liter bottle of Amsterdam vodka, one 12-pack of raspberry liquor nips, and 1 carton of Beat Box

wine. She provided to Investigators an expired Massachusetts driver's license in another's name which she stated she used to purchase the alcoholic beverages.

4. Investigators informed the manager on duty of the violation. Investigators also informed the Licensee, Hitesh Patel, via telephone of the violation and that a report would be submitted to the Chief Investigator for further review.
5. Mr. Patel appeared at the Commission hearing along with his son, as well as the clerk who made the sale.
6. The Licensee has held a license under M.G.L. c. 138, § 12 since 2010 with one prior violation.

### CONCLUSION

Based on the evidence, the Commission finds the Licensee violated M. G. L. Ch. 138, § 34C – Possession of an alcoholic beverage by a person under twenty-one (21) years of age (1 count). As a result, the Commission **SUSPENDS the license for a period of one (1) day.**

### **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Jean M. Lorizio, Chairman \_\_\_\_\_



Crystal Matthews, Commissioner \_\_\_\_\_



I, the undersigned, have listened to the Commission record.

Deborah Baglio, Commissioner \_\_\_\_\_



Dated: June 11, 2025

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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