



Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
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Jean M. Lorizio, Esq.
Chairman

DECISION

GURU KIRPA INC. D/B/A TAJ INDIAN BISTRO & LOUNGE
58-B MONTVALE AVENUE
STONEHAM, MA 02180
LICENSE#: 1242-00040
VIOLATION DATE: 5/30/2018
HEARING DATE: 7/24/2018

Guru Kirpa Inc. d/b/a Taj Indian Bistro & Lounge (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, July 24, 2018, regarding an alleged violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Di Cicco's Report.

The following documents are in evidence:

1. Investigator Di Cicco's Compliance Check Field Report; and
2. Licensee's Stipulation of Facts.

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

The Commission took Administrative Notice of the Licensee's record.

FACTS

1. On Wednesday, May 30, 2018, at approximately 6:28 p.m., Investigator Di Cicco and Stoneham Police Sergeant Chris Apalakis ("Investigators") investigated the business of Guru Kirpa Inc. d/b/a Taj Indian Bistro & Lounge.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a bottle of Bud Light beer, for four dollars and twenty-five cents (\$4.25). The underage operative was not asked for identification.

CONCLUSION

Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Therefore, the Commission **suspends the license for two (2) days which will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Elizabeth A. Lashway, Commissioner



Kathleen McNally, Commissioner



Dated: July 25, 2018

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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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Joseph Di Cicco, Investigator
Sgt. Christopher Apalakias, via email
Administration, File