

Award No. 2979  
Docket No. DC-3123

NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION

**PARTIES TO DISPUTE:**

**JOINT COUNCIL DINING CAR EMPLOYES, Local 370**

**BOSTON AND ALBANY RAILROAD COMPANY**

(New York Central System, Lessee)

**STATEMENT OF CLAIM:** Claim of the Joint Council Dining Car Employees, Local 370, on the property of the Boston and Albany Railroad Company (New York Central System, Lessee) for and in behalf of Mr. L. W. Williams to be returned to service with seniority rights accumulated and unbroken and with compensation, retroactive to April 7, 1945, the date taken out of service, as a result of unjust and unwarranted dismissal in abuse of Carrier's discretion and in violation of the existing agreement.

**FINDINGS:** The Third Division of the Adjustment Board finds:

That the dispute was certified to the Third Division of the Adjustment Board ex parte by complainant party; and

That no hearing thereon has been held, and under date of November 7, 1945, the complainant party addressed a formal communication to the Secretary of the Third Division requesting withdrawal of the case, which request is hereby granted.

**AWARD**

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division

ATTEST: H. A. Johnson,  
Secretary.

Dated at Chicago, Illinois, this 9th day of November, 1945.

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