

**Award No. 3070**

**Docket No. TE-3169**

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

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**PARTIES TO DISPUTE:**

**THE ORDER OF RAILROAD TELEGRAPHERS**

**THE DELAWARE AND HUDSON RAILROAD CORPORATION**

**STATEMENT OF CLAIM:** Claim of the General Committee of The Order of Railroad Telegraphers on The Delaware and Hudson Railroad, that T. J. Langan, the senior applicant for the position of agent-telegrapher at Avoca, Pennsylvania, which was advertised for bids on October 3, 1938, but who was denied the position, shall be compensated for the monetary loss he sustained October 18, 1938, until October 1, 1940, as a result of the Carrier's refusal to assign him to the position.

**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 December 24, 1945, the complainant party addressed a formal communication to the Secretary of the Third Division withdrawing this 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 3rd day of January, 1946.